

Moulana Abu Usama Ayub

WHO ARE THE BLIND FOLLOWERS?

Revised Edition of

WHY IS TAQLEED NECESSARY?

BY

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Ibn Moulana Muhammad

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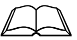








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PREFACE TO THE SECOND EDITION

In the name of Allah, the Most Beneficent, the Most Merciful. Peace, blessings, tranquillity, and salutations be upon our Noble and Most Honoured Master, the Greatest of Allah's creation and the Mercy unto mankind, Muĥammadur-Rasūlullah ﷺ. Celestial light, mercy, and bliss be for His magnanimous companions, who strove with their lives, wealth, and energies to convey His divine message to the world that existed, and to all those to come. Appreciation, award, and benediction be the lot of those who came later, protecting, preserving, and propagating His glorious Dīn. Credit, glory, and heights be the rank of those selfless, gifted, and enormously sincere scholars, who arranged, organised, and consolidated His flawless, impeccable, and untouchable Sharī`ah, and gave it to the rest of His followers to come until the day of judgement in an easy and well-presented format. May the unseen help and aid of Allāh Ta`ālā be for those humble, high-minded, and appreciative slaves of Allāh, who accept, protect and follow their predecessors, with love, gratitude and admiration for their efforts in preserving the Dīn of Almighty Allāh Jalla Jalāluh. Finally, may reformation, rectification and guidance of Allāh be for those who deny, dishonour and disregard those Nobles, whom Allāh Ta`ālā, the Almighty, and All-Wise accepted for the service and cause of His sacred, sanctified and pristine Dīn.

Praises are attributed to Allāh Ta`ālā alone, who, in spite of the immense weakness and tremendous meanness of the compiler, conveyed this book to almost every student of Dīn in the various madrasahs of South Africa. Students and scholars from the scattered cities and plains of our country selflessly responded with phone-calls, faxes and emails, rendering advice and directives; only to improve the quality and advance the profit of the book, and make its information more acceptable and

comprehensible for the fervent reader and zealous learner. The book has certainly changed its form, and now it may be safely said that it is no longer the work of a single author, but rather the product of more than a few minds and hearts, and supplications and du`ās. It is thus not attributed to an author anymore, rather to a compiler.

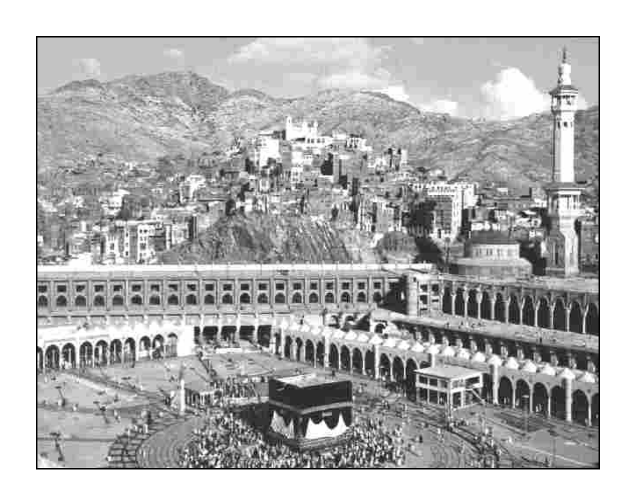
May Allāh Ta`ālā reward those hidden and concealed souls, who, devotedly spend their days and nights trying to raise high the word of Allāh Ta`ālā. And may Allāh Ta`ālā make this humble work a means for their success, and grandeur, and grant them the company of His chosen and selected slaves on the day of resurrection. And may the unworthy compiler be towed along with them, through the infinite and encompassing mercy of his Most Bountiful Creator. Āmīn.

In this edition, many references and quotations have been added. The language has also been improved, in-shā-Allāh, and the format has also been enhanced. All Arabic footnotes were converted to endnotes, and many English footnotes have been included into the text. Some of the topics have also been further simplified. Yet, it may not be said that the doors for improvements have closed. Thus, anyone wishing to include his share of reward into this work is encouraged to do so, and suggestions are welcomed. The minimum contribution anyone can make is to implore Allāh, the Absolute Sovereign, to grant acceptance to this work, use it for the guidance of mankind at large, and make it weighty in the scales of deeds on the most terrifying day of judgement.

In conclusion, I wish to express my special thanks to Moulānā Ibrahīm Muĥammad of the publication department at Madrasah In`āmiyah, Camperdown, for assisting me in editing and

publishing this humble work. May Allâh reward him abundantly, and take Madrasah In`āmiyah from stage to stage.

Abu Usāmah Ayub Ibn Moulānā Mûhammad
Tuesday, 5 Dhul-Hijjah 1427
26 December 2006



تقریظ

از حضرت شیخ الحدیث مولانا فضل الرحمٰن اعظمی

اطال اللہ عمرہ وحفظہ ورعاہ وادام علینا ظلہ وبرکاتہ وفیوضہ

استاذ الحدیث الشریف بدار العلوم الاسلامیہ۔ آزادول۔ جنوبی افریقہ

آج کل دنیا کے مختلف علاقوں میں سلفیت اور غیر مقلدیت کا فتنہ پھیل رہا ہے۔ خاص طور سے نوجوانوں کو جن کی سمجھ پختہ نہیں ہوتی بہکانے کی کوشش کی جارہی ہے۔ اور وہ اپنی کم فہمی کی وجہ سے غیر مقلدین کے دام فریب میں جلدی پھنس جاتے ہیں۔ اس لئے کہ عنوان بہت خوش نما ہوتا ہے۔ جو نوجوان بے دینی سے دین کی طرف آتے ہیں اور ان میں کتاب وسنت پر عمل کا شوق بیدار ہوتا ہے (اور زیادہ تر دعوت اور تبلیغ کی برکت سے ایسا ہوتا ہے) ان کے پیچھے یہ لوگ پڑ جاتے ہیں۔ اور غیر مقلدیت کی جال میں پھنسا کر سب کاموں کو بدعت بتا کر نکما اور بے کار کردیتے ہیں۔ ان کا کام صرف لوگوں پر اعتراض کرنا رہ جاتا ہے۔

جنوبی افریقہ میں بھی کچھ ایسی ہوا بعض جوانوں پر چلی ہے۔ اس فتنہ کی سد باب کیلئے ایک نوجوان لائق فاضل عالم مفتی ایوب جینا سلمہ نے یہ مفید کتاب تیار کی ہے۔

ہمارے استاذ محدث کبیر علامہ جلیل شیخ حبیب الرحمٰن اعظمی نور اللہ مرقدہ کی بہت تمنا تھی کہ نوجوان علماء کو تخصص فی الحدیث الشریف کرا کر اصول حدیث اور جرح وتعدیل کے فن میں ماہر بنا کر غیر مقلدین کے مقابلہ کیلئے تیار کیا جائے۔ اس کیلئے حضرت نے ایک نصاب بھی تیار کیا تھا اور ڈابھیل میں یہ کام شروع

کرتا تھا۔ مہتمم جامعہ ڈابھیل اور حضرت مولانا کے درمیان بات چیت کرنے میں بندۂ فقیر واسطہ تھا۔ لیکن انتظام مکمل نہ ہونے کی وجہ سے کام شروع نہ ہوسکا۔ اسکا تذکرہ تاریخ جامعہ اسلامیہ ڈابھیل میں کردیا ہے اور نصاب بھی نقل کردیا ہے۔

اللہ کا شکر ہے کہ ہمارے مراکز مثلاً مدرسہ مظاہر العلوم سہارنپور اور دارالعلوم دیوبند میں یہ کام شروع ہوگیا ہے۔ فالحمدللہ علی ذلک۔ یہاں بھی میں اپنی فرصت اور وسعت کے مطابق طلبہ میں تھوڑا سا کام کرنے کی کوشش چند سال سے کررہا ہوں۔ اور چند کتابیں اس نصاب کی پڑھارہا ہوں۔ جس سے امید ہے کہ ضرورت کے وقت ہمارے تلامذہ بھی اس میدان میں کام کریں گے۔

جن تلامذہ نے اس سلسلہ میں مجھ سے فائدہ اٹھایا ہے ان میں یہ لائق مصنف مفتی جیناسمہ بھی ہیں۔ ان کو میں نے اعلاءالسنن کا مقدمہ بھی پورا پڑھایا ہے۔ اعلاءالسنن کے بارے میں حکیم الامت حضرت تھانوی رحمہ اللہ کا ارشاد ہے کہ اگر خانقاہ تھانہ بھون نے یہ ایک کتاب تیار کی ہوتی تو خانقاہ کی فضیلت وشرافت کیلئے کافی تھی اسلئے کہ یہ اپنی باب میں بے مثال ہے۔ (مقدمہ اعلاءالسنن ص۱۲)

اس کتاب کا مقدمہ غیر مقلدین ہی کے جواب کیلئے لکھا گیا تھا جیسا کہ شیخ عبدالفتاح ابوغدہ رحمہ اللہ نے مقدمہ (قواعد فی علوم الحدیث) کے شروع میں (سبب تالیف ہذا الکتاب) کے عنوان سے اسکو ذکر کیا ہے۔

ہمارے استاذ نوراللہ مرقدہ نے اپنی وقت میں غیر مقلدین کے بڑے بڑے علماء کے سوالات اور اشکالات کے جوابات دیے تھے جواب کتابی شکل میں شائع ہوگئی۔ جس میں سے خاص خاص باتیں دورۂ حدیث کے طلبہ کو میں سناتا ہوں۔ ہمارے والد صاحب مدظلہ نے بھی (تقلید کیا ہے؟) کے نام سے ایک کتاب تحریر فرمائی ہے۔ تراویح اور تین طلاق سے متعلق کتابیں بھی ہمارے استاد کی مشہور ہے۔ شیخ ناصرالدین البانی مشہور غیر مقلد عالم کا رد (الالبانی شذوذہ واخطاءہ) بھی ملکوں میں مشہور ہے۔

یہاں جنوبی افریقہ میں ابھی جلدی سے غیر مقلدیت کی کچھ اثرات بننے میں آئے۔ اس کے سد باب کیلئے امید ہے کہ یہ کتاب مفید رہیگی۔ اس کی جمع وتالیف میں مؤلف سلمہ مجھ سے مشورہ کرتے رہے۔ اس سے قبل بھی مؤلف کی ایک کتاب (استخارہ) سے متعلق چھپ کر منظر عام پر آ چکی ہے۔ جو محقق اور مفید ہے۔ اس کتاب کی مضامین بھی سرسری طور پر میں نے سنی ہے۔ دیکھا کہ معتبر علماء کی کتابوں سے استفادہ کیا ہیں۔ جیسے حکیم الامت حضرت مولانا اشرف علی تھانوی رح مفتی مولانا یوسف لدھانوی رح شیخ محمد عوامہ حنفی حلبی مدنی حفظہ اللہ وغیرہم۔

تقلید پر جو شبہات غیر مقلدین پیش کیا کرتے ہیں ان کا جواب سنجیدہ طور پر دینے کی پوری کوشش کی ہے اور ترک تقلید میں جو مفاسد ہیں ان کو بیان کیا ہے۔ مجھ سے یہ فرمائش کی ہے کہ اس کتاب پر میں تقریظ لکھوں اور یہ بھی لکھوں کہ یہ کتاب گویا میری تحریض اور ترغیب پر لکھی ہے۔ ان کے کہنے پر یہ چند سطریں لکھدی ہیں۔ حقیقت یہ ہے کہ مؤلف کی یہ اپنی محنت ہے۔

اللہ تعالی قبول فرمائے۔ اور لوگوں کیلئے ہدایت کا ذریعہ بنائے۔ اور مؤلف کے لئے ذریعہ آخرت اور مزید دینی خدمت کی توفیق عطا فرمائے تاکہ ہمارے لئے زیادہ صدقہ جاریہ ہو۔

والصلاۃ والسلام علی رسول اللہ صلی اللہ علیہ وسلم والحمد للہ رب العالمین۔

فضل الرحمن اعظمی

منگل رجب الحرام ۱۴۲۴

۱۔ ۹۔ ۲۰۰۳



Translation of Foreword

By Shaikhul Ĥadīth Moulānā Fađ-lur-Raĥmān A`źami

Lecturer of Ĥadīth at Darul `Uloom, Azaadville, South Africa

In the recent past, in various parts of the world the vices of Salafism and 'antagonism towards madh-habs' have been spreading. In fact, more so among the youth, who lack depth of understanding. Due to being intellectually immature they are quickly entrapped by these antagonists. The reason is that the front is very appealing.

Any youth who wishes to make a change from irreligiousness to piety, and develops a desire to practice upon the Qur'ân and the Sunnah, (and this normally happens by virtue of Da'wah and Tablīgh), is pursued by these people. After entangling him in their nets, and misleading him into thinking that most practices are innovations, they render him impractical and useless. Consequently, he only remains good in raising objections against all and sundry.

In South Africa, some of these trends began taking root. To close the doors to this vice, one worthy notable young Ālim Mufti Ayub Jeena (may Allâh protect him) has prepared this beneficial book.

Our tutor, the great Muĥaddith and distinguished scholar Shaikh Habībur-Raĥmān A`źami (May Allâh illuminate his resting place) had always expressed his wish that young `Ulamā should specialize in the field of Ĥadīth, become experts in it's maxims, and in the science of evaluating narrators; and should thereby be equipped to counter the 'antagonists of madh-habs'. For this the Shaikh compiled a syllabus and was about to launch this course in Dabhel, (India). This slave (i.e. the writer of this foreword) was the liaison between the principal and the Shaikh. Due to

arrangements not being completed, it did not take off. Mention of this is made in 'The History of the Islamic University of Dabhel' (Urdu), and the above-mentioned syllabus has also been recorded in it.

Thanks to Allâh, this task has successfully taken off in our illustrious centres such as Madrasah Maźāhirul `Uloom, Saharanpur and Darul `Uloom Deoband. May Allâh be praised for that.

For the past few years I have been trying to accomplish some of this locally (in South Africa) from the students, according to my time and capability. I teach some of those books as well, through which we have hope that our students would serve in this field at the time of need.

Among those students who have taken benefit from me in this field is the worthy compiler Mufti Jeena (may Allâh protect him). I taught him the introduction of I`lā-us-Sunan: (قواعد في علوم الحديث). About I'lā-us-Sunan, Hakīmul Ummah Hađrat T-hānwi had said that had the Khānqa of T-hānabawan only prepared this work, it would suffice for the virtue and honour of the Khānqa, since this book is one of its kind. (Introduction of I'lā-us-Sunan page 12).

The introduction of this book was written particularly to answer to the 'antagonists of madh-habs', as has been stated by Shaikh `Abdul Fattāh Abu Ghuddah (May Allâh shower his mercies upon him) in the beginning of his foreword to 'Fundamentals of the science of Ĥadīth' under the heading 'The Reason for this Publication'.

Our lecturer (May Allâh illuminate his resting place), during his era had answered many of the questions and objections raised by momentous scholars of the 'antagonists of madh-habs'. His answers have been published in book form. I read selected sections of it to the students of Ĥadīth.

My honourable father (may his shadow be extended) had also written a book titled *What is Taqleed*? The books of my tutor on the subject of tarāwīh and three divorces are also popular works. His rebuttal of Shaikh Nāŝiruddīn Albāni, the famous 'antagonist of madh-habs', named *Al-Albāni: His Rarities and Errors* is popular throughout the world as well.

Around here in South Africa, some traces of antagonism towards madh-habs have come to our notice. It is hoped that this book will prove beneficial in rebutting it. Whilst compiling it, the author used to consult with me. Another book of the same author viz. Istikhārah has been published before, and has gained exposure. It is also a well-researched and beneficial book. I have listened to excerpts of this book. I found that he has benefited from books of authoritative scholars, such as Hakīmul Ummah Moulānā Ashraf `Ali T-hānwi رحمة الله عليه, Moulānā Yusuf Lud-hyānwi رحمة الله عليه, Shaikh Muĥammad `Awwāmah Ĥanafi Ĥalabi Madani حفظه الله and other renowned scholars.

He has endeavoured to present the answers of the misconceptions that are generally raised by the antagonists in a simple manner. He has also outlined the harms of abandoning madh-habs. He requested that I should write the foreword to this book, and has also asked me to write in it that he prepared this book through my motivation and encouragement. I therefore present to you these few lines. In reality, this is the effort of the compiler himself.

May Allâh Ta`âlâ accept it, and make it a means of guidance for the people. May He make it a means for him to prosper in his hereafter, and grant him the ability to render more service to His deen, so that we may have more ongoing provisions for the hereafter.

Finally, may blessings and peace be upon the Messenger of Allâh, and praises are only due to Allâh, the Sustainer of all the worlds.

Fadhlur-Rahmān A`źami
Tuesday, Rajab Al-Ĥarām 1426
1 September 2003



FOREWORD

Ĥađrat Muftī Muĥammad Saeed Motara

Head of the Department of Fatwā, Dārul `Uloom, Azaadville, South Africa

In this day and era in which every person claims to be an Islāmic 'scholar', 'thinker' and 'researcher' in his own right and much unwarranted and devious criticism is being levelled against people who rightly recognize the significance of Taqlīd (i.e. the unflinching and unwavering adherence to one madh-hab in Dīni (religious matters), there was a great need to remove doubts created in the minds of the unwary public. Due to the criticisms of these so-called "modern thinkers", many Muslim brothers and sisters are being caught in a cataclysm of confusion and bewilderment. The Muslim public was thus in need for some light to be shed on this hotly-debated subject.

Alĥamdulillah, Muftī Ayub Jeena Saheb (may Allāh Ta`ālā bless him in `Ilm and `Amal) of Kimberley has filled this niche and very ably compiled a booklet wherein the replies to many pertinent questions pertaining to Taqlīd have been given. The layout of the book is very admirable in that it has been prepared in a question and answer format, thus making it convenient for readers to find convincing replies to pertinent issues. The said format is a tried and tested method of our Akābir and Aslāf (seniors and pious predecessors) for educating the masses in matters of Dīn. Noteworthy in this regard is the highly acclaimed *Ta`limul-Islam* of Ĥađrat Muftī Kifāyatullāh Sāheb (raĥmatullāhi alaih), wherein Fiq-hi (juristic) matters are explained in a question and answer format.

The compiler of the book that you, O reader hold in your hand has thus followed in the footsteps of our Akābir by rendering the

subject of Taqlīd also in a question and answer format. He has sincerely endeavoured to present the subject in layman's language, thereby facilitating its comprehension for as many readers as possible. In places where technical terminology had to be unavoidably utilized, the compiler has given a brief explanation, either in brackets or in the related footnotes. As far as possible, he has given references for texts quoted from other academic works.

This humble servant has perused the book and found it to be immensely beneficial. May Allāh Ta`ālā accept the efforts of the compiler and make it a source of benefit for the Ummah at large. May Allāh Ta`ālā bless him with more insight in his knowledge and make this book a stepping stone for more works of this nature coming to the fore in the foreseeable future. Āmīn.

Was-salaam,
Muhammed Saeed
Madrasah Arabia Islamia
Azaadville
23 Rajab 1424
20 September 2003



FOREWORD

Ĥaḏrat Moulānā Shabbīr Aĥmad Saloojee
Principal of Dārul Uloom Zakariyyā, Lenasia, South Africa

As Qiyāmah approaches, many fitnahs (evils and corruption) will appear. These fitnahs will increase as the hour draws nearer, and as we go further away from the period of our Beloved Nabi ﷺ, it will result in the ummah being split into many groups. Those groups who have gone astray, were either from amongst those who discredited the Ŝaĥābah Kirām ﷽, or from those who abandoned the Taqlīd of the four great Imāms. One can safely say that the leaders of all such groups that have deviated from the Ŝirāt-e-Mustaqīm (the straight path) were not Muqallids of one of the four Imāms. In other words, not making Taqlīd of one of the four Imāms is the first bridge to ilĥād (deviance).

The majority of the great `Ulamā' of the ummah were Muqallids of one of the four Imāms. `Allāmah Suyūṭi رحمه الله, a great Shāfi`ī scholar, once decided to leave the confines of Taqlīd. After a short period of time, he discovered the evil consequences thereof, repented and resumed making the Taqlīd of Imām Shāfi`ī رحمه الله.

During the time of the Ŝaĥābah رضي الله عنهم, every person was either a Mujtahid or a Muqallid. A ghair Muqallid is a person who, in spite of not possessing the qualifications of Ijtihād, refuses to make the Taqlīd of a Mujtahid. No ghair Muqallid existed amongst the Ŝaĥābah رضي الله عنهم, the Tābi`īn, and the Tab`-tābi`īn. These type of people only appeared during the reign of the English, as was the condition of the Qādiyānis and other sects.

Taqlīd of one of the four Imāms is in reality a shield for the protection of one's Imān, as described by Imām Ghazāli رحمه الله and others. One senior ghair Muqallid `Alim has admitted that most

of those who converted to Christianity and left the fold of Islām in Amritsar, India, and its districts were those who abandoned the Taqlīd of the four Imāms.

It should also be noted that Fiq-h was formulated before the *'As-Ŝiĥāĥ As-Sitt'* i.e. the six famous books of Ĥadīth. History bears testimony to this. Consider that Imām Abu Ĥanīfah رحمة الله عليه passed away in 150 A.H, Imām Mālik رحمة الله عليه in 179 A.H., Imām Shāfi`ī رحمة الله عليه in 204 A.H., and Imām Aĥmad Ibn Ĥambal رحمة الله عليه in 241 A.H. On the other hand, Imām Bukhāri رحمة الله عليه passed away in 256 A.H, Imām Muslim رحمة الله عليه in 261 A.H, Imām Ibn Mājah رحمة الله عليه in 273 A.H, Imām Abu Dāwūd رحمة الله عليه in 275 A.H, Imām Tirmidhi in 279 A.H, and Imām Nasa-ī رحمة الله عليه in 303 A.H. None of the Muĥaddithīn, in any of their books, have ever refuted any of the Fuqahā or Fiq-h itself. And neither did any of these a'immah of Ĥadīth formulate all the laws of Dīn in a manner that the Fuqahā did, whose conclusions within Islamic law had been accepted unanimously and universally. This was because of the three subjects discussed in Ĥadīth, viz. authenticity, meaning, and deduced laws, the Muĥaddithīn mainly dealt with the first aspect only.

In this book, Muĥtaram Moulānā Ayub Saĥib (mudda źilluh) has beautifully outlined the meaning of Taqlīd, some of the qualifications of a Mujtahid, in what type of Masā-il may Ijtihād be performed, a short biography of the four Imāms, and most importantly their acceptance by the jumhūr-e-ummah (i.e. the vast majority of the ummah). Moulānā has also established that the practice of following a Mujtahid existed during the period of the Ŝaĥābah رضي الله عنهم as well. He has also pointed out that it was by the deed of Allāh Ta`ālā that the madhāhib of the four great Imāms only have been formulated in such a comprehensive way, together with their principles being laid in a manner that allows further subsidiary laws to be extracted accordingly. It has also been

explained that differences within subsidiary laws have occurred because of differences in the principles of extracting laws of the various Imāms.

In this book, the correct interpretation of the statement "when a Ĥadīth is authentic, it is my madh-hab" has been adequately dealt with. Towards the end, a very interesting debate is mentioned between Shaikh Muĥammad Sa`īd Ramađān Al-Būṭi and Nāŝir Albāni – a leading scholar of those who reject Taqlīd. The dangerous result of abandoning Taqlīd may also be judged by the answers of Nāŝir Albāni. Had this debate been the sole focus of this book, it would have been more than sufficient to prove the evil and dangerous consequences of rejecting Taqlīd.

May Allāh Ta`ālā accept this noble work, and increase Moulānā in knowledge. And may He, by means of this book, save the Imān of the masses from this dangerous fitnah. Āmīn.

Shabbir Ahmad Saloojee
Darul Uloom Zakariyya
16 Sha`bān 1424


Mount Uhud, Madinah Munawwarah

تقريظ

لفضيلة الشيخ المفتي أبي حماد فياض الرحيم

أستاذ الحديث الشريف بدار العلوم الإسلامية بـ نيوكاسل ، جنوب أفريقيا

بسم الله الرحمن الرحيم

نحمد الله تبارك وتعالى ونصلي ونسلم على رسوله الكريم ، وعلى آله وصحبه وأتباعه إلى يوم الدين، وبعد:

فإن هذا العصر قد زاد فيه القيل والقال، وبدأ الناس يتجاسرون على السلف الصالح الذين اصطفاهم الله تعالى لحفظ الشريعة الغراء وينظرون الأخطاء في جهودهم الجبارة التي أخلصوها لدين الله تعالى وبعض منهم حالهم كما قيل: وكل يدعي وصال ليلي وليلي لا تقر لهم بذاك ، وحينما مررت على الحديث الذي ذكر فيه: (ولعن آخر هذه الأمة أولها) كنت أخاف في نفسي على هؤلاء المتطفلين على موائد العلماء وعلى جرأتهم وسوء أدبهم.

ولا أقول بأن الأمة صارت عقيمة عن المجتهدين، ولكن أين الشروط واللوازم التي يحتاج إليها المجتهد ! من يتأهل لها في هذا الزمان؟ وإننا نعلم بأن العلماء الأفاضل والثقات الأخيار مع كونهم على ذروة عليا من العلوم والفنون وفقوا للاعتماد على من قبلهم.

والحق بأن اتباع المذهب ما هو إلا اتباع الشريعة النقية التي بعث بها محمد ﷺ لأن الذي أخذ بقول الإمام يعتقد جازما في قلبه ويعتقد في نفسه بأن هذا الإمام لا يرشده إلا إلى طريق ثابت في الكتاب السنة وإجماع الأمة. وقد كان الصحابة الكرام رضوان الله عليهم أجمعين يجتهدون في المسائل ويوفقون ويلهمون على الصواب.

ثم الأمر الذي أوجد المنع في قلوب المانعين عن التقليد لعله ظنهم بأن معنى تعريف التقليد المشهور قبول قول الإمام من دون دليل أنه ليس له دليل والأمر ليس كذلك، بل له دليل، ولكن السائل لا يسأله عن الدليل لاعتماده على أنه لا يرشده إلا إلى الصواب، وفتاوى الصحابة والتابعين وقضاياهم واضحة ظاهرة بأنهم ما كانوا يأتون بالأدلة دائماً مع وجود الأدلة في أذهانهم واعتماد الأمة عليهم، وقد ذكر الإمام البخاري رحمه الله في صحيحه تحت قول الله تعالى: ﴿واجعلنا للمتقين إماما﴾ قول مجاهد: "أئمةً نقتدي بمن قبلنا ويقتدي بنا من بعدنا".

وقد مضت القرون وكانت الأمة راشدة مهدية في تلك القرون كلها موفقة فيلزمنا أيضاً أن نستمر فيما فيه صلاح الأمة، وجزى الله خيراً لأخينا الفاضل الأستاذ أبي أسامة أيوب بن محمد حفظه الله على تقديمه هذه الجهود الطيبة في صورة الأسئلة والأجوبة.

ولا شك أنه سعي محمود في هذا العصر. وقد طُلبت أن أُكتب بعض الكلمات على هذا الكتاب المسمى: (ما ضرورة التقليد؟) فرأيت هذا الكتاب من مواضع شتى، وسمعت من

أخينا الأستاذ نذير بارك أستاذ بدار العلوم الإسلامية من بعض المواضع ، فوجدته مفيدا مثمرا مغدقا، وليت شعري لو وجدت فرصة ووقتا لقراءة الكتاب من البداية إلى النهاية، ولكن لهجوم الاشتغال الدراسية ما وجدت مدة كافية لاستماع كل الكتاب .

أرجو الله سبحانه وتعالى أن يجعل هذا الجهد خالصا لوجهه الكريم وأن ينفع به الأمة جمعاء في مشارق الأرض ومغاربها وأن يجمع به الأمة إلى ما فيه رشدها وصلاحها وصلاحيتها، وأن يحفظنا جميعاً عن المكايد والمصايد والشرور والفتن والشبكات التي تبذلها الأعداء لتفريق وحدتنا . والله المستعان. وصلى الله وسلم وبارك على محمد وآله وصحبه أجمعين، وجزاكم الله خيراً .

أخوكم في الله أبو حمّاد فياض الرحيم

مدرس الحديث الشريف بدار العلوم الإسلامية

نيوكاسل

١٠ سبتمبر ٢٠٠٣



Translation of Foreword
By Mufti Fayyādur-Rahīm

Lecturer of the Sublime Ĥadīth at Darul `Uloom, Newcastle, South Africa

In the name of Allâh, the most Beneficent, the Most Merciful.

Verily we are living in a period wherein gossip is on the increase, and people encroach upon the pious predecessors, whom Allâh Ta`âlâ had chosen for the preservation of this Noble Sharī`ah. They search for errors in their brilliant endeavours and pursuits, which were carried out for the pleasure of Allâh Ta`âlâ alone.

An Arabic proverb goes like this: '*Everyone alleges to be in friendship with Laila, but Laila does not confess to that in their favour*'. When I came across the Ĥadīth: "*And the last part of this Ummah would abuse the former part of it*" I became apprehensive about the audacity and ill-conduct of these spongers upon the tablecloth of the `Ulama.

I do not say that the Ummah has become barren of Mujtahidīn, but where are the indispensable qualifications of a Mujtahid to be found? Who can claim the mantle of a Mujtahid in this era? It is certainly common knowledge that the great `Ulamâ and grand authorities, in spite of having reached pinnacles in the various sciences and fields, yet they were inspired enough to rely upon their predecessors.

The truth of the matter is that following a madh-hab actually is following the pure Sharī`ah which was revealed to Muĥammad ﷺ, since he who adopts the view of an Imâm firmly believes without doubt that 'this Imâm' will guide him only towards that which

has been derived from the book of Allâh, the Sunnah of Rasūlullâh ﷺ and the consensus of the Ummah.

The Ŝaĥabah ﷺ also performed Ijtihad in rulings, and would be guided and inspired only towards that which was correct. As time passed, resistance was given birth to within the hearts of the antagonists probably by the notion that the meaning of the known definition of Taqlīd: 'the acceptance of the view of an Imâm without seeking to know the proof' is that the Imâm had no proof and basis to supplement his claim. However, the truth of the matter is not so. The definition only implies that the follower does not question him about the proof; since he is confident about the fact that he would only inform him of the truth. The fatāwa of the Ŝaĥabah ﷺ and the Tabi`īn رحمهم الله and their judgements clearly show that they would not always state their proofs, even though their proofs were present in their minds, and the Ummah relied upon them.

Imâm Bukhari ﷺ had quoted in his Ŝaĥīĥ beneath the heading: *"... And make us Imâms of the Muttaqīn"* the explanation of (Imâm) Mujahid ﷺ: *"… such Imâms who follow those before us, and are followed by those after us".* Centuries had passed wherein the Ummah was righteous, guided and aided. Therefore it is necessary for us to also maintain the path which the Ummah treaded and were rightly guided.

May Allâh reward our honoured brother, Abu Usamah Ayub ibn Muĥammad and protect him for bringing forth such a wonderful work in the form of questions and answers. There is really no doubt that it is a praiseworthy work, especially during this day and age. I was requested to write a few words for this book named: *Why is Taqleed necessary?* I perused it randomly and

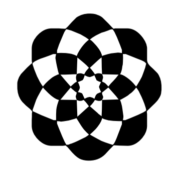
listened to some parts of it from Moulānā Nadhīr Paruk, a lecturer at the Darul `Uloom (in Newcastle). I found it to be beneficial, fruitful and complete. I certainly wish that I could find the time and opportunity to read it from start to end, but due to overwhelming teaching responsibilities I did not find enough time to listen to the entire book.

I have hope that Allâh, Most Dignified and Exalted, will accept this effort as having been for His pleasure alone, and that He would benefit the Ummah from the east to the west. I also hope that Allâh would join the Ummah upon that which is the source of guidance, goodness and energy, and that He would protect us all from all the plots, conspiracies, evils, and nets which are placed in our path by the enemies, in order to disunite us. Allâh alone is our aid.

May Allâh shower his blessings, peace and favours upon Muĥammad, his family and companions.

Finally, may you also be included in Allâh's rewards.

Your brother in the course of Allâh,
Abu Hammaad Fayyaađur-Raĥīm
Lecturer in Ĥadīth Sharīf, Darul `Uloom, Newcastle
10 September 2003



INTRODUCTION

All praises belong to Allāh Ta`ālā alone, the Creator of the universe. May His infinite salutations and blessings be showered on the choicest of creation and the leader of all Prophets, Muĥammad ﷺ.

Sources of guidance

Allāh Ta`ālā has favoured man with His special guidance, through the medium of the Qur'ān and the Sunnah of His beloved Rasūl ﷺ; the Qur'ān playing the role of an instruction manual, and the Rasūl being the agent and practical demonstrator. Allāh Ta`ālā says in the Noble Qur'ān:

﴿وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ﴾

"And we revealed to you the message (i.e. the Qur'ān) so that you explain to humanity what has been revealed to them". (An-Naĥl: 44)

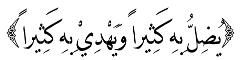
﴿وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا﴾

"And whatever the Rasūl gives you (of command), adhere to it, and what he forbids you from, abstain". (Al-Ĥashr:7)

Thus, the Qur'ān and Sunnah are indisputably the only **original** sources of guidance.

However, it is essential to note that whilst the Qur'ān is undeniably the word of Allāh Ta`ālā Himself, it does not stand alone as the sole source of guidance. Instead, a Prophet was sent to explain it and practically demonstrate it to the people, and Allāh Ta`ālā declared the Prophet ﷺ the highest authority for the

establishment of His code of law; and He stipulated <u>his</u> interpretation of the Holy Book as the only legitimate one. Thus, he who believes in the Qur'ān is, by the command of the Qur'ān itself, obliged to accept whatever the Prophet ﷺ propagated. Any person who gives preference to any independent interpretation, is cautioned in the beginning pages of Sūrah Baqarah by the following words:



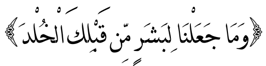
"He leads many astray by means of it (i.e. the Qur'ān), and He guides many thereby". (Al-Baqarah:26)

A combination of the Book and the Rasūl

Since time immemorial, Allāh Ta`ālā never chose to guide man by merely revealing to him a code of instructions in the form of a book, and neither did Allāh Ta`ālā, in His infinite wisdom suffice on sending a Prophet alone. Instead, man always had a divine scripture to follow, as well as a Prophet to obey. It is therefore evident, that neither is a scripture alone adequate for man's guidance, nor a Rasūl only.

Preservation of guidance after Rasūlullāh ﷺ

The Qur'ān is a living miracle of Allāh Ta`ālā, which will remain with the ummah almost right until the end of time, whereas, our beloved Prophet Muĥammad ﷺ was a mortal, and he was informed by Allāh Ta`ālā:



"And we have not granted to anyone before you perpetuity (thus you also will not live forever)" (Al-Ambiyā':34)

Allāh Ta`ālā had destined that His beloved Rasūlullāh ﷺ should return to him, after completing his mission. The question that now remains is: Is the rest of the Ummah left with only the Qur'ān and the transmitted Sunnah of Rasūlullāh ﷺ , or is there anything else also that they are left with for their guidance? The answer to this question is to be found in the opening Sūrah of the Qur'ān viz. Sūrah Fātiĥah, which in actual fact is the essence of the entire Qur'ān, and which we have been commanded to recite at least seventeen times daily. When educating man on how to seek guidance, Allāh Ta`ālā describes a 'path' for him. However, instead of defining it as the path of the Qur'ān or the path of Rasūlullāh ﷺ , Allāh Ta`ālā describes the path of guidance thus:

﴿صِرَاطَ الَّذِينَ أَنعَمتَ عَلَيهِمْ غَيرِ المَغضُوبِ عَلَيهِمْ وَلاَ الضَّالِّينَ﴾

"The path of those upon whom You have showered Your favour".
(Al-Fātiĥah:7)

This means that until the day of Qiyāmah, man will be guided by *'rijā-lul-lāh'* i.e. "men" whom Allāh Ta`ālā has guided, and not by literature alone. It is for this reason that, when Rasūlullāh ﷺ informed the Ŝaĥābah ﷺ that his ummah will be divided into seventy three groups amongst whom only one will be on truth, and the Ŝaĥābah ﷺ inquired as to who that group would be, he replied:

مَا أَنَا عَلَيْهِ وَأَصْحَابِيْ

"(Those who follow) my path and the path of my companions"[1].

From Chest to Chest

It is on this basis that our illustrious predecessors had established that the true knowledge of Dīn would pass on the basis of:

صَدْراً إلى صَدْرٍ

"chest to chest"

and not from books to chest. Abdullāh Ibnul-Mubārak ﵀ stated:

الإسنادُ مِنَ الدِّينِ، ولَوْلَا الإِسْنَادُ لَقَالَ مَنْ شَاءَ مَا شَاءَ

"Acquiring qualification from a credible authority (of Qur'ān, Ĥadīth and Fiq-h, etc.) is an integral part of Dīn. Had this not been so, anyone would have been able to make claims (in religious matters) according to his whims and fancies" .[2]

Thus, only that knowledge has worth in the sight of Allāh Ta`ālā, which was conveyed by His Messenger ﷺ to his companions ﵃, and transmitted by them to their companions, and so on, up to this day. In this way, the original knowledge, with its own concept and colour will be preserved and secured from any form of interpolation or distortion. Since this concept of transmission via a chain of credible authorities was not existent amongst prior nations, their creed and beliefs were eventually effaced from the very core, to the extent that there exists almost no trace of the original.

Consensus

From the above and other indisputable proofs[a], the illustrious scholars have deduced that the consensus of the credible religious

[a] One such proof is a Ĥadīth narrated by Imām Bukhāri ﵀ (3641) and Imām Muslim ﵀ (4950) from Mu'āwiyah ﵁ that Rasūlullāh ﷺ said: "There will always be from my *ummah* a group that will adhere to the truth. Neither will those who abandon them be able to harm them and nor those who oppose them, until the command of Allāh arrives (i.e. =

authorities of the ummah during any era is an indisputable Shar`ī proof. This is termed as *Ijmā`* (إجماع). Since the time of the Ŝaĥābah ﷺ up to the present day, no credible scholar has disputed the fact that *Ijmā`* is an indisputable proof of Sharī`ah.

The Four Madhāhib and Their Taqlīd[a]

For many centuries, the scholars of Islām were *unanimous* about the legitimacy of the four madhāhib, and about making Taqlīd thereof. The rulings that were concurred upon by the four madhāhib were practiced by the entire ummah without exception. In other words, for many centuries, there was *Ijmā`* regarding the four madhāhib, and regarding their unanimous rulings.

Deviation

During the last century, a group emerged that began diverting people away from the four madhāhib and their Taqlīd. The custodians of this sedition, through devious and alluring arguments, began encouraging people to refer directly to the Qur'ān and books of Ĥadīth, without the need of the authorities and prior scholars. They even went to the extent of regarding those who refer to the deductions of the scholars and authorities, as abandoning the Qur'ān and the Sunnah of Rasūlullah ﷺ. In a

= *Qiyāmah*)". If this is the case of one group in the ummah, then, by default, the entire ummah's unanimity will include the consensus of this group mentioned in the Ĥadīth. Besides, the Ŝaĥābah ﷺ were also unanimous about this fact (that Ijmā` is an irrefutable Shar`ī proof).

[a] Taqlīd basically means to practice upon Dîn in accordance with the teachings of one of the four illustrious Imāms, viz. Imām Abu Ĥanīfah, Imām Mālik, Imām Shafi`ī, and Imām Ahmad Ibn Ĥambal رحمهم الله .

subtle way, they create an impression that the teachings of the illustrious Imāms were different to the teachings of the Qur'ān and the Blessed Sunnah of our Beloved Rasūlullah ﷺ.

Epidemic

In recent times, this heresy has taken the form of an epidemic. These deviant people ensnare ignorant youth, who are turning towards Dīn, and desire to become closer to the Blessed Sunnah. Their slogans are appealing, explanations appeasing, and sometimes, the first impression unfortunately turns out to be the last one.

Cure

The only cure for ignorance is its converse. By educating the masses, it is hoped that, through the grace and mercy of Allāh Ta`ālā, people will be able to recognize the truth from falsehood. This book has been compiled for the same reason.

Purpose of compilation

The purpose of compiling this book is not to directly combat the rejecters of Taqlīd. The object is to educate the people about what Taqlīd is. The book has therefore not been written in a defensive or offensive way. It merely presents the facts as they are. May Allāh Ta`ālā overlook the weaknesses and shortcomings of the compiler, accept this effort, and make it a means of hidāyah (guidance), through His infinite mercy and special favour. Āmīn.

About the book

The book has been compiled in a question and answer format. The primary reason for this is that, on many occasions, after a subject has been adequately dealt with, the very question that was the topic under discussion is posed at the conclusion of the lengthy discourse. It was therefore preferred that the question be presented first, so that the reader may find his answer easily. Questions that are generally posed as objections by the rejecters of madh-habs were selected for this treatise.

Method of reading the book

The subjects dealt with are of an academic nature and thus full of academic jargon. Great pains were undertaken to simplify the material. The reader will however still require some academic background to fully grasp the contents of the book. A serious apprehension exists that a reader may understand the "simple-to-understand *question*", while the *answer* may be too deep for him to grasp. To avoid this, the following points should *essentially* be observed:

i. Do *not* page through the book and read selected sections only. Read the book from the beginning. This will make it easier to comprehend.
ii. Do not read a portion only and abandon the book after reading a few pages. Take note that as you go along reading, the subject becomes easier to comprehend; hence the book becomes more interesting, in-shā-Allāh.
iii. Read the book a second time. You will find yourself understanding much more this time. This is because the subjects are interlinked, although an effort has been made to

sequence the questions systematically. Therefore, after having read the book once, issues that were not fully comprehended during the first reading would become easier to grasp during the second reading, in-shā-Allāh.

iv. If certain sections still remain unclear after having observed all of the above, it is advised that an academically equipped `Ālim be approached for further clarity.

Acknowledgements

I wish to express my heartfelt appreciation to the large number of people who assisted in revising the book, giving healthy comments and suggestions, and proofreading the manuscript. I am indeed unable to offer due appreciation to all of them. I am also unable to offer enough gratitude to my parents, my Asātidhah (teachers) and guides, my uncles and aunts, my cousins and brothers-in-law, and my family and friends. I therefore beseech Allāh Ta`ālā, through His infinite bounty, to bestow every one of them with the best of this world and the hereafter. May Allāh Ta`ālā grant them His blessed proximity, fulfil all their wishes and use them for the upliftment of His Dīn in the entire world, Āmīn.

May Allāh Ta`ālā accept the effort of the compiler, as well as that of the reader. May Allāh Ta`ālā guide us all, Āmīn.

Abu Usāmah Ayub Ibn Moulāna Muĥammad
Friday, Rajab 13, 1424,
October 10, 2003

Understanding Taqlīd

الحمد لله أحمده وأستعينه وأستغفره من يهده الله فلا مضل له ومن يضلل فلا هادي له

وأشهد أن لا إله إلا الله وحده لا شريك له وأن محمدا عبده ورسوله

عليه أفضل صلوات الله وأزكى تسليماته

1. What is Taqlīd and who is a Muqallid?

A: Taqlīd technically means accepting the view of a Mujtahid in issues of Islamic law, without seeking to know the proof thereof, on the belief that his views are backed by legitimate Shar`ī evidence.

A Muqallid is one who ascribes to the Taqlīd of a Mujtahid, because he lacks the qualifications to perform Ijtihād.

2. What is Ijtihād and who is a Mujtahid?

A: Ijtihād is the process of extracting laws from the four basic sources of Sharī`ah viz. the Qur'ān, Sunnah, Ijmā`[a] (consensus of opinion) and Qiyās (analogy based on explicit rulings of the Qur'ān and Sunnah).

A Mujtahid is a scholar who qualifies to employ the tool of Ijtihād.

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[a] Refer to page 4 and 17 for some light on Ijmā`.

3. Kindly explain Taqlīd through a practical example?

A: The fundamentals and technical terminology of every branch of knowledge are acquired on the basis of Taqlīd, i.e. without questioning the authority of the masters. For example, a person who studies medicine accepts everything that he is taught until he reaches a stage where he is qualified to voice his opinion, or to agree or disagree with those who were more qualified than him. The layman, or the one who does not achieve this degree of proficiency has no right whatsoever to make a statement in the field of medicine, even though he may possess a doctorate in the field of law. Thus, even experts in the field of law, or engineering, etc, are mere muqallids (i.e. followers) in the field of medicine.

4. How does a scholar qualify as a Mujtahid?

A: When he gains the highest level of proficiency in the four sources of Islamic law (viz. the Qur'ān, Sunnah, Ijmā` and Qiyās) and its related branches, together with meeting certain spiritual requirements, he qualifies to practice Ijtihād. This is substantiated by the following quotations:

a) Imām Shāfi`ī رحمة الله عليه stated[3]:

"It is not permissible for anyone to pass a ruling (by means of his own reasoning) in Allāh's Dīn, except a person who is well-versed in the book of Allāh. This entails being aware of its *Nāsikh* (abrogating) and *Mansūkh* (abrogated) verses, its *Muĥkam* (clear/strengthened) and *Mutashābih* (obscure) verses, its *Ta'wīl* (figurative verses) and *Tanzīl* (the condition or time of revelation, or the order of revelation of various verses), *Makki* and *Madani* verses (i.e. those verses revealed before and after emigration

respectively); the detailed purport of the verses, and the background circumstances regarding their revelation. Similarly, he should be well-versed in the Ĥadīth of Rasūlullāh ﷺ, its *Nāsikh* (abrogating) and *Mansūkh* (abrogated) ones; and he should be equally knowledgeable about the Ĥadīth of Rasūlullāh ﷺ as he is with the Qur'ān.

Thereafter he should be well versed in the various sciences of the Arabic language, Arabic poetry and *all the various sciences* that are required for the study of Islamic knowledge and the Qur'ān. At the same time he should be equipped with impartiality and justice coupled with constrained speech. He should also be acquainted with the differences of the Fuqahā. Last but not least, he should be talented (in the art of extracting rulings from the sources of Sharī`ah). After having fulfilled all the above requirements, then only may he voice his opinions and pass rulings in matters of permissibility or prohibition. If not, then he has no right to voice his opinions in religious knowledge, and he is not permitted to pass any ruling."

Hāfiź Ibn `Abdil Barr recorded this quote of Imām Shāfi`ī رحمة الله عليه and, after substantiating it with attestations of other illustrious scholars, added the following conditions:

1) The *Sīrah* of Rasūlullāh ﷺ should also be studied.

2) One should be well acquainted with the lives of the Ŝaĥābah رضي الله عنهم who conveyed the Dîn of their Nabi ﷺ, so that he may be able to distinguish between '*Mursal*' and '*Muttaŝil*' narrations (*Mursal* are narrations, the chains of which stop at a Tābi`ī, who quotes directly from Rasūlullâh ﷺ. This means that the last link of the Ŝaĥabi before Rasūlullâh ﷺ is missing. *Muttaŝil* refers to a

complete chain of narration right up to Rasūlullâh ﷺ). He should pay special attention to their life-stories and virtues.

3) He needs to be well-versed in the science pertaining to the lives of the narrators – the Ŝaĥābah ؓ as well as all those who came later; and their days and life-stories; so that he is able to distinguish the reliable from the unreliable."[a]

Note:

In his famous work on the sciences of the Qur'ān, *Al-Itqān,* Imām Suyūṭi رحمة الله عليه discusses in detail the conditions to be met by anyone wishing to qualify as an exegete/commentator of the Qur'ān. The following is a summary of his text from *Al-Itqān* (4/185):

"…Scholars opine: Exegesis of the Qur'ān is permissible for one who possesses the necessary sciences required by the exegete, which are fifteen. They are as follows:

1) **Language**. Imām Mujāhid stated: "It is not permissible for anyone having Imān in Allāh and the last day, to make a statement in the book of Allāh, when he is not well-versed in the (various) expressions of the Arabs." And it is not sufficient him to know some of it only, as a word may have dual meanings, while he knows one only and the other is meant.

[a] Shaikh Muĥammad `Awwāmah comments about the last condition stated above: "This refers to the sciences of: 1) "*Rijāl*" (narrators) and 2) "*Al-Jar-ĥu-Wat-Ta`dīl*" (the science governing the laws pertaining to the credibility and disparagement of narrators). The study of these (two) sciences alone is enough to exhaust a substantial number of years from the life of a student of Dîn". (Atharul Ĥadīth ash-Sharīf- pg 178).

2) النحو **'Syntax'**…

3) الصرف **'Morphology'**…

4) الاشتقاق **'Derivatives/Etymology'** …

5, 6, 7) **The sciences of:** المعاني, البيان **and** البديع – three sciences that relate to rhetorics, metephorics, etc… these three sciences are sub-divisions of the field of علم البلاغة 'the art of eloquence' which are the greatest components of a mufassir… as speech may only be fully comprehended through literary taste, which is not possessed by everyone involved in syntax, language and Fiq-h only, and as such are not worthy of commenting on speech…

8) **The science of** القراءة **(*qirā'ah*)** (which deals with the various modes of recitation) … through which, (in ambiguous words and phrases), one meaning may be stipulated or preferred over others.

9) **The sciences relating to** أصول الدين 'fundamentals of Dīn' or 'Beliefs' …

10) أصول الفقه **The science of 'Maxims of Fiq-h'**…

11) The **incidents and occurrences** in the background of the revelation of various verses…

12) **Abrogating and abrogated verses**…

13) **Fiq-h**,

14) Those **Aĥādīth** that explain brief and unclear verses, and

15) **Gifted knowledge**. This refers to the knowledge that Allāh Ta`ālā bestows upon one who practices upon what he knows… You may find 'gifted knowledge' difficult (to acquire) and say that it is not within the choice of a human being, but it is not as difficult as you may think. The method of acquiring it is to adopt its means of acquisition such as practicing (on what one knows) and abstinence (from worldly luxuries)."

b) The following dialogue that took place with Imām Aĥmad Ibn Ĥambal رحمة الله عليه elucidates the required extent of expertise in the field of Ĥadīth whereby a scholar may qualify as a Mujtahid:

A man asked Imām Aĥmad رحمة الله عليه : "If a person memorizes 100 000 Aĥādīth, can he qualify as a Faqīh (jurist)?" He replied. "No". The person asked. "What about 200 000?" The Imām once again replied. "No". Again the man said: "Then 300 000?" The Imām replied in the negative once more. The man said: "And 400 000?" This time he shook his palm, indicating that: "probably now he may be a Faqīh, fit enough to pass a fatwa on his own accord" .[4]

Note:

After mentioning this incident, Imām Ibn Taimiyyah, and Imām Ibnul-Qayyim رحمهما الله recorded a quotation of Ibn Shāqlā – an illustrious scholar of the Ĥambali madh-hab who said: "When I was assigned the post of Iftā in 'Jāmi Al Manŝūr', I mentioned this particular incident (that occurred with Imām Aĥmad رحمة الله عليه) to

which a man exclaimed: "So here you are, you haven't memorized that amount of Aĥādīth to qualify to issue fatwās!" So I said to him: "May Allāh protect you (- an exclamation of rebuke)! If I have not memorized the required amount of Aĥādīth, then certainly here I am, passing fatwās in accordance with the (madh-hab) of Imām Aĥmad ﷺ who had memorized that number of Aĥādīth and even more."

Ibn Taimiyyah ﷺ comments: "When a '*Muftī*' passes a ruling in accordance to the opinion of his Imām, then indeed he has based it on (sound) knowledge. In reality, he is only conveying the ruling passed by his Imām, therefore he has not digressed from knowledge."[5]

c) After quoting the statements of various authorities in religious matters, regarding the requirements for Ijtihād, Shaikh Muĥammad `Awwāmah added: "…all of the above… and coupled with that is: *adornment with good deeds; `Ibādah (devotion), Taqwā (fear of Allāh), Wara`(abstention from all futilities), Zuhd (abstention from indulgence in luxuries), purity of the soul; and possessing the perfect traits in Islām*[a]. Thus he should be an 'Imām' in this respect too."[6] To substantiate this, Shaikh `Awwāmah reproduced a number of examples and statements of other authorities. Below is an example:

"Imām Mālik ﷺ says: "I saw Ayyūb As-Sakhtiyāni ﷺ in Makkah, during two pilgrimages, and had not noted anything (Aĥādīth) from him. During the third Ĥajj, I saw him sitting at the place of Zam-zam, and whenever Rasūlullāh ﷺ was mentioned in

[a] Allāh Ta`ālā says in Sūrah Luqmān: "And 'follow' the path of *he* who turns towards Me (in submission)." The exegetes of the Qur'ān explain '*he*' as the '*sincere*' bondsman of Allāh Ta`ālā. (Rūĥul-Ma`āni).

his presence, he would weep until my heart would feel pity for him. *When I observed this, I recorded (Aĥādīth) from him*."[7]

5. What is the sphere of activity of a Mujtahid?

A: The following paragraph from *Adabul Ikhtilāf* by Shaikh Muĥammad `Awwāmah[8] explains this question:

"… and in this way the experts of *Uŝūl* (maxims of jurisprudence), and the Fuqahā (jurists) are unanimous that Ijtihād can only be carried out in "every Shar`ī law where there is no *Qaṭ`ī* (i.e. indisputable) evidence."

"And it is well known that proofs are divided into four categories:

a. قَطْعِيُّ الثُّبُوْتِ وَالدَّلَالَةِ Indisputable in authenticity as well as purport,

b. ظَنِّيُّ الثُّبُوْتِ وَالدَّلَالَةِ Disputable in authenticity and purport,

c. قَطْعِيُّ الثُّبُوْتِ ظَنِّيُّ الدَّلَالَةِ Indisputable in authenticity and disputable in purport

d. قَطْعِيُّ الثُّبُوْتِ ظَنِّيُّ الدَّلَالَةِ Indisputable in purport, and disputable in authenticity.

We thus conclude that Ijtihād may only be performed within the last three categories. As for the first category, i.e. evidence which is indisputable in authenticity as well as in purport, a law based on it does not fall within the sphere of Ijtihād, since neither is Ijtihād permissible within it, nor is there scope for any difference of opinion … And the statement of Ibn `Ābidīn has already been mentioned that opposing (a law based on) evidence that is

indisputable in authenticity and purport is disbelief (*kufr*), let alone it being a sin."

Shaikh `Awwāmah states that Ĥāfiź Ibn Taimiyyah رحمة الله عليه added the following: "…and (among those issues that are beyond the sphere of Ijtihād is) everything that the first part of this Ummah had consensus about." This is precisely what is known as *Ijmā`*. The `Ulamā' are unanimous that *Ijmā`* is a *Qaṭ`ī* (indisputable) proof, which can never be opposed.[a]

6. Were the Mujtahidīn only four?

A: No. Hundreds of Mujtahidīn existed during the first few centuries of Islām.

7. Name a few other famous Mujtahidīn?

A: Ibrāhīm Nakha`ī, Sufyān Thowri, Al-Owzā`ī, Abu Thowr, Isĥāq Ibn Rāhawaih[9], Wakī` Ibn Jarrāĥ, Laith Ibn Sa`d, etc. were amongst the many famous Mujtahidīn of the past.

رحمهم الله تعالى أجمعين

8. In that case, why do only four madhāhib exist?

A: This is the plan of Allāh Ta`ālā alone, who is the Supreme Master, and who does as He wills. No mortal had any share in this.

Nevertheless, an interesting point to note here is that once again we see the peculiar significance of the number four. There are four

[a] Refer to page 4 regarding *Ijmā`*.

important angels, four important divine Books, four Ash-hurul Ĥurum (sacred months), four Khulafā Rāshidīn (rightly guided caliphs), etc.

`Allāmah Burhānuddīn Ibrāhīm Ibn `Ali Al-Mālikī (d. 799 A.H.) gives a brief description of some of the madhāhib and how they gradually waned away. He says:

"And the madh-hab of Imām Owzā`ī رحمة الله عليه was predominant in Shām[a] and the island of Andalus[b] until the madh-hab of Imām Mālik رحمة الله عليه took dominance after the second century of Islām. Thereafter the madh-hab of Imām Owzā`ī faded into oblivion. As for the madhāhib of Ĥasan (Baŝri) and (Sufyān) Thowrī رحمهما الله تعالى, their followers were not many and neither did they remain for long. Hence after a short period of time, their madhāhib also became extinct…

"As for the followers of Imām (Ibn Jarīr) Ţabari and Abu Thowr رحمهما الله, they were not many, nor did they last long. The followers of Abu Thowr came to an end after the third century; and the followers of Ţabari came to an end after the fourth century. As for Dāwūd (Aź-Źāhirī), his followers were many. They spread out in Baghdād, and Persia, and a few people in Africa and Andalus also ascribed to his madh-hab. However, it has very little support presently.

[a] Shām was the area that covered present-day Syria, Palestine, Jordan and Lebanon.

[b] Andalus was the area that covered the present-day Spain, Cyprus and surrounding areas.

"These (Imāms) are those whom the people had unanimously accepted to make Taqlīd of, in spite of their differences in personality. The `Ulamā' also had consensus about: following them, making Taqlīd of their madhāhib, studying their books, and gaining expertise in Fiq-h according to the fundamentals laid down by them. They also concurred about building on their fundamentals and principles, and making those principles a basis to derive other laws. It was unanimously agreed that this would not apply to anyone else amongst their contemporaries and those who came before them for reasons that we had mentioned before. Thus, people in the different parts of the world are now (divided) into five madhāhib: Mālikiyyah, Ĥambaliyyah, Shāfi`iyyah, Ĥanafiyyah and the Dāwūdiyyah who are better known as the Źāhiriyyah …"[10]

`Allāmah Ibn Khaldūn (d. 808 A.H.) writes the following about the Źāhiriyyah in his famous *Muqaddimah*:
"Presently, the madh-hab of the Ahluź-Źāhir has come to an end due to the extinction of its followers."[11]

`Allāmah Tājuddīn As-Subki (d. 777 A.H.) writes: "And these four madhāhib have, by the grace of Allāh Ta`ālā reached a consensus in their beliefs. Besides a few amongst (its followers) who joined the (deviant) sects of I`tizāl or Tajsīm (anthropomorphism)[a], the vast majority of their followers are on the truth, and confess to the

[a] This is in reference to two sects that have deviated from the path of the Ahlus-Sunnah Wal Jamā'ah, due to differences in belief. By the grace of Allāh Ta`ālā, both the sects have become extinct, but traces of their deviant beliefs are still to be found among some contemporary sects.

beliefs of Imām Abu Ja`far Aṭ-Ṭaĥāwi[a], to which the `Ulamā' of the past and present had given complete attestation …"[12]

As for the rest of the Mujtahidīn, their madhāhib were not codified, researched and recorded to the extent that these aforementioned madhāhib were codified, researched and recorded.[b] Scholars derived benefit and learned from them during their lifetime. After their demise, they conveyed their teachings in the form of knowledge, but not as a madh-hab. It is for this reason that scattered statements of theirs are recorded in the works of Fiq-h and Ĥadīth, however no formal madh-hab exists that was attributed to anyone of them.[13]

9. There is one Qur'ān and one Nabi (that we follow)? Hence what is the need for different madhāhib?

A: The answer to this question lies within the following two dialogues which have been recorded by Shaikh Muĥammad `Awwāmah in his book[15]:

The first is a dialogue that took place between the Shaikh and one of his students approximately a decade ago while delivering a lecture on '*The History of Islamic Jurisprudence*'. The Shaikh relates:

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[a] Imām Abu Ja`far Aṭ-Ṭaĥāwi, the great Faqīh and Muĥaddith of the third/fourth centuries of Islām, had compiled a booklet on the basic beliefs of the Ahlus-Sunnah Wal Jamā`ah to which the scholars of all four madh-habs ascribe. This booklet is known as *Al`Aqīdatuṭ-Ṭaĥāwiyyah.*

[b] Students of these Imāms (of the four madhāhib) recorded and documented their statements. The *Mudawwanah* in the Māliki Madh-hab, and *Umm* in the Shāfi`i Madh-hab are examples of such works.

"He (the student) posed the question to me: What is the ruling about uniting the madhāhib, by bringing the people onto one madh-hab?

I first answered briefly (saying): Such a struggle contradicts the will of Allāh Ta`ālā with regards to His Sharī`ah. It opposes Rasūlullāh ﷺ, his Ŝaĥābah (companions) ﷻ, and the illustrious predecessors that followed. It does not conform to logic either.

I then elaborated: Was Allāh not aware since time immemorial that the Arabs shall utilize the word "Qur'" ambiguously for:

1. the period of menstruation; and
2. the period of purity between two menstruations?[a]

He said: Certainly.

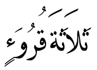
I said: Was Allāh not aware since time immemorial that there was going to come a Ŝaĥābi by the name of Zaid Ibn Thābit ؓ, and another by the name of `Abdullah Ibn Mas`ūd ؓ, and that Zaid ؓ would opine "Qur'" to mean the period of purity, and Ibn Mas`ūd ؓ would say that it refers to menstruation.

He said: Obviously.

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[a] This is in reference to āyah 2/228 that discusses the ruling regarding the `iddah of a divorcee. According to Imām Shāfi`ī رحمة الله عليه her `iddah will be the passing of three periods of purity that occurs between two menstruations, whilst Imām Abu Ĥanīfah رحمة الله عليه opines that it will be the passing of three menses.

I said to him: Then why did Allāh not reveal the āyah:



in a manner to avoid the difference of opinion between Ibn Mas`ūd ﵁ and Zaid Ibn Thābit ﵁? Why did He rather not say:

ثلاثة حيض

or

ثلاثة أطهار

(i.e. by clearly mentioning either the period of menses or the period of purity), thereby leaving no scope for contention? And the same would apply to every other Qur'ānic text that has many possible meanings.

I continued: Similar will be the condition of the Noble Aĥādīth. We believe that it is revelation and/or inspiration from Allāh the Almighty. Therefore, why did Allāh, who is All-Knowledgeable and All-Aware, not reveal/inspire His Rasūl ﷺ to express the Aĥādīth using phrases that leave no scope for people to differ. In fact, why did He not inspire Rasūlullāh ﷺ to clearly state to the Ŝaĥābah ﵃ the day he instructed them to hurry to Banu Quraiźah that they should *not* perform `Aŝr on the way? Instead he said: "Every one of you should perform `Aŝr at Banu Quraiźah only.[a]

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[a] This refers to an incident recorded by Imām Bu<u>kh</u>āri رحمه الله (946) under the chapters on Ŝalātul <u>Kh</u>owf, and Imām Muslim رحمه الله (1770) under the chapters on Jihād, on the authority of `Abdullah Ibn `Umar ﵄ that, when returning from the battle of Aĥzāb, Nabi ﷺ instructed them thus: "Every one of you should perform `Aŝr at the Banu Quraiźah only." Ŝalāh time approached (termination) on the way. So some said: "We shall only =

Consequently, amongst the Ŝaĥābah ﵁ were those who adhered to the literal meaning, while others practiced upon its purport!

I asked him: Did the Ŝaĥābah ﵁ and those who followed them ﵏ differ?

He replied: They certainly did.

I further asked him: And do intellects also differ?

He said: Yes.

I then said: Doesn't this difference originate from the diversity of their lifestyles and environments?

He answered: It does.

I finally deduced: Thus the struggle to unite the madhāhib and bring all the people onto one madh-hab is lunacy and deviance.

= perform Ŝalāh once we have arrived there." Others said: "No! We should rather perform our Ŝalāh. This was not intended of us." (They understood that Rasūlullāh ﷺ meant to say that they should go straight to Banu Quraiźah, without any delay.) The incident was mentioned to Rasūlullāh ﷺ, and he did not reprimand any of them.

The second is a dialogue that took place with Ma'mūn, the `Abbāsi Caliph, whose depth of knowledge in the Shar`ī sciences is well known. Ibn Qutaibah narrates the incident as follows[16]:

"Ma'mūn said to a renegade (murtadd) of the Christian creed: Tell us what repulsed you from our Dīn after having been acquainted with it. If you find the cure for your disease by us, you may adopt it. And if you are not cured and the treatment proves fatal, then you will be excused, and thus you will not be guilty. If we then slay you, we will do so by the requirements of the Shar`ī law. (This is your chance to) weigh and deliberate (over the matter) and build confidence within yourself, and thereby know that you have not left any stone unturned to find the truth, and you have done your best to enter through the door of prudence.

Renegade: I was repulsed by all the differences of opinion which exist amongst you.

Ma'mūn: We have two types of differences. One concerns differences regarding A<u>dh</u>ān, the Takbīrs of Ŝalātul Janāzah, Tashahhud, Īd Ŝalāh, Takbīrs of Tashrīq, the diverse canonical readings, the various verdicts, etc. There is no controversy found here, but it is merely a matter of preference, diversity, and easing of trial (by Allah in simplifying the Sharī`ah). Thus, the one who makes A<u>dh</u>aan and Iqāmah (by saying each phrase) twice does not attribute deviance to the person reciting (the phrases of the) Athān twice and that of the Iqāmah once. They neither upbraid nor rebuke one another.[a]

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[a] Imām Qāđi Yaĥyā Ibn Sa`īd Al-Anŝāri رحمة الله عليه, who was one of the illustrious Tābi`īn (i.e. a student of the Ŝaĥābah) said: "The custodians =

Our second type of differences is what pertains to the various interpretations of our Book (i.e. the Qur'ān) and Ĥadīth. We are unanimous about the divinity of the Qur'ān, and the authority of the Aĥādīth itself. If this is what is repulsing you, then there should be no difference of opinion about the interpretation of the Towrāh and Injīl, just as there is no difference about their divinity. Thus there shouldn't be any difference of interpretation amongst the Jews and Christians whatsoever. Also, you should then only speak such a language that may not be interpreted in different ways.

And had Allāh desired to reveal His books and make the speech of His messengers such that they require no further elucidation, he would have done so. But nothing of our Dīn or dunyā (world) has been given to us without further responsibility, otherwise there would have been no test, competition, or rivalry, and nor any basis of superiority. Allāh did not create the world such.

Renegade: I bear testimony to the fact that there is none worthy of worship besides Allāh, that the Messiah (`Isa عليه السلام) is his bondsman, that Muĥammad ﷺ is truthful, and that you are truly the leader of the believers.

Shaikh Muĥammad `Awwāmah says: "This was truly a decisive summary about differences of opinion; and a pertinent answer

= of Fatwā often differed. One would declare something Ĥalāl while the other would declare the same Ĥarām, and the former would not attribute destruction to the latter, and nor would the latter say that about the former". (Adabul Ikhtilāf pg 30 from Jāmi` Bayānil-`Ilm 2/80)

indeed! May Allāh have mercy upon Ma'mūn and forgive him for all that transpired from him."

In fact, these differences were considered a mercy from Allāh Ta`ālā. Ibn Qudāmah Al-Ĥambali رحمة الله عليه writes[17]: "Allāh, through His mercy and bounty, created great Imāms amongst the predecessors in this Ummah, whom He utilized to arrange the fundamentals of Islām, and through them He elucidated the intricate laws. *Their consensus is irrefutable evidence, while their disagreement is the extreme mercy (of Allāh Ta`ālā)*. Hearts are revived by their incidents, and success is reached by treading their footsteps."

Imām Ibn `Abdil Barr رحمة الله عليه relates: "`Umar Ibn `Abdul `Azīz and Qāsim Ibn Muĥammad رحمهما الله were once discussing Ĥadīth. Whenever `Umar disagreed with Qāsim رحمهما الله , Qāsim's dislike would become apparent. `Umar (Ibn `Abdul `Aziz) رحمة الله عليه said to him: "Don't do that! I am not prepared to receive red camels in exchange for their (i.e. the Ŝaĥābah's) differences."[18]

In '*Sunan ad-Dārami'* it is reported that Ĥumaid At-Tawīl once said to `Umar Ibn `Abdul `Azīz رحمهما الله: "It will be a commendable deed for you to unite the people on one thing!" He replied: "I would not be pleased by them not having differed." After that, he wrote to (the governors) of the different regions: "Each community should pass judgement in accordance with the unanimous rulings of its Fuqahā."[19]

Still more astonishing than that is the fact that Imām Mālik was granted the opportunity by the Khalīfah of his time to unite the ummah upon his madh-hab, but he refused. He himself relates:

"(The Caliph) Abu Ja`far Al-Manŝūr said to me: "I intend to create uniformity in this knowledge (by doing away with differences). I thus desire to write to the various commanders of the armies, and to the judges to practice upon it only.[a] Whoever opposes it will be beheaded."

I said to him: "O leader of the believers! Verily Rasūlullāh ﷺ used to be amongst his followers, when he would dispatch detachments, and at times he would go out himself as well. During his era, not many lands were conquered. Then Abu Bakr ؓ succeeded him, and the condition was very similar during his period. Thereafter `Umar ؓ took the reigns, and Allāh subjugated many lands on his hands. He found no alternative but to delegate the companions of Rasūlullāh ﷺ (to various regions) as teachers. People continued to learn from them, and pass their knowledge over to their descendants up to this day. If you attempt to shift them from the knowledge that they possess to what they don't know, they will consider it as kufr (disbelief). Rather, re-inforce every region with its own knowledge, and take *this* knowledge for yourself." Manŝūr remarked: "That's improbable! Record it for (my son) Muĥammad.[20]"[b]

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[a] The narration of Al-Wāqidi contains the following wording: Manŝur said: "I have resolved to issue a command that these books of yours (i.e. the Muwaṭṭa) be copied, and one script be sent to every city of the Muslim empire….

[b] A friend of mine, and graduate of the university in Madīnah Munawwarah, summed up the answer as follows: "Assuming we agree to abandon the *madh-habs*, then what is the alternate solution? If it is to adopt *Tarjīĥ* (i.e. by taking the strongest view) then: a) whose task is it to determine the strongest view? b) how do we go about determining the strongest view? c) will the person entrusted with the task be qualified and capable for determining that? d) if it is entrusted upon one or more persons, and people are expected to follow them, then is this not =

10. Can all four schools of jurisprudence be correct concurrently?

A: Whether each opinion of every madh-hab may be the correct one which was ordained by Allāh Ta`ālā at one and the same time, has been a point of contention amongst the scholars. However, they are unanimous that all four madhāhib are simultaneously acceptable as far as the Sharī`ah is concerned. To illustrate this, an example is given of five people who are travelling on a cloudy day. One of the companions happens to be blind. At the approach of the time of a certain Ŝalāh, they find themselves in a jungle. Four of them begin to discuss the direction of the qiblah, and each one arrives at a totally different conclusion and performs his Ŝalāh accordingly. The blind man however, is unable to take part in the discussion, but since he considers one of the four more knowledgeable and experienced in this regard, he follows him.

Whilst only one is right, the Ŝalāh of each of the five is in perfect order. It will not be necessary for the rest of them to repeat it later when the clouds have cleared and they were able to distinguish whose direction was the correct one.

The example of the four people is like that of the four Imāms. The fifth person who is blind is like the follower (Muqallid) who does

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= ‘*Taqlīd*’? e) if it is left to every individual, then wouldn’t that result in more conflict and hundreds of schools, instead of only four. f) what criteria do we follow in establishing whether a Ĥadīth is acceptable or not? g) whose interpretation of the Ĥadīth do we follow? We thus conclude that we are content with following any one of the four, particularly after the ummah at large has borne testimony to their knowledge and Taqwā.”

not possess the qualifications to perform Ijtihād, and therefore follows one of the four Imāms.

This explanation is deduced from the following Aĥādīth:

Ĥadīth no. 1

"When a ruler/judge passes a judgement on the basis of Ijtihād and he arrives at the correct answer, he receives a double reward, (one for performing Ijtihād and the other for extracting a correct ruling of Sharī`ah). If on the other hand he erred, then he receives one reward only (for his Ijtihād, and he will be excused for his error)."[21]

Ĥadīth no. 2

"Any person who forms an opinion regarding any verse of the Qur'ān, of his own accord (i.e. without being qualified to do so) has indeed erred even though his opinion may actually conform to the truth.[a]"[22]

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[a] Ibn Ĥajar رحمة الله عليه states in the commentary of this Ĥadīth:
"…he has deviated from the straight path due to delving into the book of Allāh with conjecture and assumption, since he has delved without possessing the qualifications to do so. In doing so, he becomes a sinner anyway, and no regard is given to the fact that his opinion has coincided with the truth, as this has occurred unintentionally, and in the incorrect manner. On the other hand, the person who possesses the tools (qualifications) for Tafsīr, which are fifteen sciences as follows: ..., then such a person is rewarded for delving into the book of Allāh even if he errs, as he has transgressed no limits. Therefore, he will receive two rewards according to one narration, and ten according to another, if his statement conforms to the truth, and just one reward if he errs, just =

Shaikh Muĥammad Bakhīt Al-Muṭī`ī ﷫ states[23]: "Every one of those rulings (of the four Imāms) were extracted from the four sources of Sharī`ah viz. the Qur'ān, the Sunnah, Ijmā` and Qiyās, whether from unequivocal (explicit) texts, or through Ijtihād *done in the correct manner*. Thus they are (all) the commands of Allāh, His Sharī`ah, and the guidance of Muĥammad ﷺ whom Allāh has ordered us to follow. This is so because the deductions of every Mujtahid whose basis was the four above-mentioned sources, constitutes the Sharī`ah (law) of Allāh directed to him and all those who engage in his Taqlīd (follow him)."

11. How can we be certain about the credibility of these four Imāms?

A: This can be verified by the glowing tributes and remarks made by recognized scholars from amongst their contemporaries, as well as the attestations of recognized authorities of Islām throughout the centuries. Authors from each of the madhāhib, and biographers have written hundreds of pages on the lives of each one of them.

About these illustrious Fuqahā, Imām Ghazāli ﷫ remarks: "The `Ulamā' of Fiq-h (jurisprudence) possessed five distinguishing features: `Ibādah (devotion in worship), Taqwā (fear of Allāh Ta`ālā), the knowledge of the Ākhirah (hereafter), understanding the welfare of the creation, and striving to seek Allāh's pleasure through Fiq-h."

Since their lengthy biographies are not the subject of our book, a short recountal will be given of each one of them, and the keen

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= like a Mujtahid (who performs Ijtihād) in the *Aĥkām* (rulings of *Sharī`ah*) …" (Mirqātul Mafātīh 1/292)

reader is encouraged to refer to books that specifically deal with their biographies.

Imām Abu Ĥanīfah

About Imam Abu Ĥanīfah, Imām Shāfi`ī is reported to have said: “People are entirely dependent upon Imām Abu Ĥanīfah in Fiq-h.” [24] `Allāmah Dhahabi (d. 748 A.H.) states: “He (Imām Abū Ĥanīfah) met Anas on a number of occasions when he visited them in Kūfah.” [25]

`Allāmah Ibn Kathīr (d. 774 A.H.) writes about Imām Abu Ĥanīfah: “… one of the four Imāms of the followed madhāhib. He was the first amongst them in demise, as he had also witnessed the era of the Ŝaĥābah. He saw Anas Ibn Mālik, and it is said that he met other Ŝaĥābah as well. Some even mention that he narrated from seven of the Ŝaĥābah. And Allāh Ta`ālā knows best.”[26]

`Allāmah Dhahabi says that Imām Abu Ĥanīfah performed Fajr with the same wuđū of `Ishā’ for twenty years.”[27]

`Allāmah Al-Khaṭīb Al-Baghdādi states: “It has been recorded about Imām Abu Ĥanīfah that he performed Ŝalātul Fajr and `Ishā with the same wuđū for forty years … and it is also recorded that he completed seven thousand khatms (complete recitals) of the Qur'ān on the very spot where he passed away.[28]”

Moulānā Sarfarāz writes: “In spite of the fact that Imām Abu Ĥanīfah was a great intellectual, and had deep insight into Fiq-h, his rulings were based on Mashwarah (consultation), and it is obvious that a collective opinion is closer to the truth. `Allāmah

Ŝaimari رحمة الله عليه and Al-Khaṭīb Al-Baghdādi رحمة الله عليه state about the Ĥanafi madh-hab: “The companions of Imām Abu Ĥanīfah رحمة الله عليه would discuss a mas’alah (ruling) with him. However, if `Āfiyah Ibn Yazīd Al-Owdi[a] رحمة الله عليه would not be present, then Imām Abu Ĥanīfah رحمة الله عليه would say: “Do not confirm the ruling until `Āfiyah comes.” When `Āfiyah would arrive and concur with them, then only would Imām Abu Ĥanīfah say: “Record it.” But if he did not agree with them, Imām Abu Ĥanīfah would say: “Do not record it.”[29]

`Allāmah MuĥammadIbn Ibrāhīm Al-Wazīr Al-Yamāni رحمة الله عليه (d. 770 A.H.) had the following to say: “Had Imām Abu Ĥanīfah been ignorant and unadorned with the beauty of `Ilm (as some ignorant people claim), then mountains (of `Ilm) from amongst the Ĥanafis such as Qāđi Abu Yūsuf, Muĥammad Ibnul-Ĥasan Ash-Shaibāni, Aṭ-Ṭaĥāwi, Abul Ĥasan Al-Karkhi, and many others like them would not have concurred about occupying themselves with (the study and development of) his madh-hab. The `Ulamā’ of the Ĥanafi fraternity are in Hind[b], Shām[c], Egypt, Yemen, the Peninsula, Makkah, Madīnah[d], the two `Iraqs (i.e. including Iran)[e] since 150 A.H. until this day, which is a period that spans over 600 years. They number in the thousands, and are

[a] He was an authentic narrator of Ĥadīth as mentioned by Ibn Ma`īn and Imām Nasa-ī رحمهم الله. (See: *Abū Ĥanīfah Wa Aŝ-ĥābuhul Muĥaddithūn* page 196.)

[b] The subcontinent of Indo-Pakistan including Bangladesh and surrounding areas.

[c] The area that covers Syria, Palestine, Lebanon, Jordan, etc.

[d] This is obviously in reference to the period before World War II when Ĥijaz was taken over by the Saudis.

[e] They can be found in many regions of the Russian Republics and China as well.

uncountable. They include people of `Ilm, Fatwā, Wara` and Taqwā." [30]

Imām Abu Ĥanīfah's name was Nu`mān Ibn Thābit. He was born in the year 80 A.H. and passed away in the year 150 A.H.

رحمه الله تعالى رحمة واسعة

Imām Mālik Ibn Anas

Abu Nu`aim narrates from Abu Mus`ab who says: "I heard Imām Mālik say: "I never passed a Fatwā (verdict) until seventy scholars bore testimony to the fact that I was worthy of it (i.e the task of issuing Fatwā)."[31]

Abu Nu`aim and Al-Khaţīb Al-Baghdādi narrate from Khalaf Ibn `Umar who said: "I heard Imām Mālik Ibn Anas saying: "I never entered into Fatwā until I asked those who were more proficient in knowledge than me whether they found me worthy of it. I asked Rabī`ah, and I asked Yaĥyā Ibn Sa`īd. They both ordered me to proceed." So I (Khalaf Ibn `Umar) asked him: O Abu `Abdillah (agnomen of Imām Mālik)! What if they forbade you? He said: "Then I would have abstained: *It is not correct for a person to regard himself worthy of anything until he asks those who are more knowledgeable than him*."[32] `Abdurraĥmān Ibn Mahdi says: "A man once asked Imām Mālik a mas'alah (ruling), to which he responded: I am not sure about it. The man exclaimed: "I have indeed travelled to you from such and such a place to ask you about it!" Imām Mālik responded: "When you return to your place, inform the people that I said that I am not sure of it."[33]

Ibn Abi Uwais ﷬ relates: "Whenever Imām Mālik ﷬ intended to narrate Ĥadīth, he would first perform wuđu', sit on his bed and comb his beard, then take a firm seating with dignity and awe, and thereafter commence narrating Ĥadīth. When asked about it he replied: "I love to revere the Ĥadīth of Rasūlullāh ﷺ. Thus, I only narrate Ĥadīth in a state of cleanliness (wuđu'), and being firmly seated." He disliked narrating Ĥadīth whilst standing on a pathway or when in haste. He used to also say: "I desire that whatever I narrate from Rasūlullāh ﷺ be well-understood."[34]" Abdullah Ibnul-Mubārak ﷬ narrates: "I was once by Imām Mālik, while he was narrating a Ĥadīth to us. A scorpion bit him sixteen times. His face changed colour, but he did not disrupt the lesson of Ĥadīth. When the people had dispersed, (and it was discovered that a scorpion bit him), he said: "I bore it patiently, solely out of respect for the Ĥadīth of Rasūlullāh ﷺ."[35]

The followers of this madh-hab are in Andalus (Spain and surrounding areas), Egypt, North Africa, (and west Africa as well)."

Imām Mālik ﷬ was born in the year 95 A.H., and was 15 years younger than Imām Abu Ĥanīfah ﷬. He passed away on the 11th of Rabī`ul Awwal, 179 A.H..

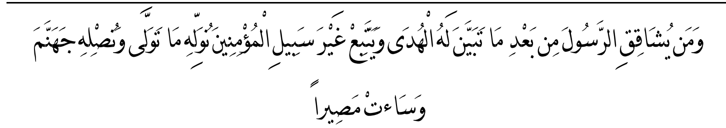
رحمه الله تعالى رحمة واسعة

Imām Shāfi`ī ﷬

Imām Aĥmad ﷬ said: "Anyone who used ink and a pen (for the knowledge of Dīn) is undoubtedly indebted to Imām Shāfi`ī ﷬ in some way or the other."[36] Imām Aĥmad ﷬ also said: "For forty years I have been supplicating for Imām Shāfi`ī ﷬ after

Ŝalāh."[37] Once Imām Aĥmad's رحمة الله عليه son asked him: "What type of a person was Imām Shāfi`ī? I hear you supplicating for him so much?" He replied: "O my beloved son! Imām Shāfi`ī رحمة الله عليه was like the sun for the world and a safety for the people. So see, do these two (bounties) have any substitute?"[38]

Muĥammad Ibn `Aqīl Al-Firyābi رحمة الله عليه relates: "It was either Imām Muzani or Imām Rabī` who narrated: "We were once by Imām Shāfi`ī رحمة الله عليه, when a Shaikh, wearing woollen clothing and having a walking stick in his hand, came along. Imām Shāfi`ī رحمة الله عليه stood up and straightened his garment as the Shaikh greeted and sat down. Imām Shāfi`ī رحمة الله عليه began looking towards the Shaikh with reverence. The Shaikh said: "May I ask a question?" "Go ahead," replied Imām Shāfi`ī رحمة الله عليه. The Shaikh thus posed the following question: "What proof is evidential in Allāh's Dīn?" Imām Shāfi`ī رحمة الله عليه replied: "The book of Allāh." The Shaikh continued: "What else?" Imām Shāfi`ī رحمة الله عليه said: "The Sunnah of Rasūlullāh ﷺ." He went on: "What else?" Imām Shāfi`ī رحمة الله عليه replied: "Consensus of the Ummah." The Shaikh exclaimed: "From where have you derived '*consensus of the ummah*'?!" Imām Shāfi`ī رحمة الله عليه pondered for a moment. So the Shaikh said: "I grant you respite for three days. Either you bring evidence from the book of Allāh, or you repent to Allāh." Imām Shāfi`ī's رحمة الله عليه face changed colour. He then left, and did not appear until the third day between Źuhr and `Aŝr. As he (came and) took his seat, the Shaikh arrived. The Shaikh greeted and sat down. He said: "My need please!" Imām Shāfi`ī رحمة الله عليه at once responded: "Yes" and began to recite the 115th verse of Sūrah Nisā' where Allāh Ta`ālā says:



"If anyone contends with the Messenger after guidance has become clear to him, and follows a path other than that of the believers, we shall leave him in the path he has chosen, and let him burn in Hell- what an evil refuge it is."

He then said: "Allāh shall not let him burn for contradicting the believers except if concurring with the believers be mandatory." The Shaikh remarked: "You have spoken the truth." He then stood up and went away.[39]

Imām Shāfi`ī ﵀ was titled in Baghdād as 'Nāŝirus-Sunnah' (the saviour of the Sunnah). Ibn Kathīr ﵀ says: "He memorized the Qur'ān when he was only seven, the Muwaṭṭa of Imām Mālik when he was ten, and his Shaikh, Muslim Ibn Khallād az-Zanjī permitted him to pass verdicts (Fatwā) when he was only fifteen. (Some narrations have: eighteen). Abū Thowr ﵀, one of the Mujtahidīn of that era says: "We never saw anyone like Imām Shāfi`ī, and neither has he ever seen someone like himself."

Abu `Ubaid ﵀ says: "I never saw anyone more eloquent, intelligent and cautious (referring to his state of Wara`) than Imām Shāfi`ī. Imām Aĥmad ﵀ used to comment about the Ĥadīth that was narrated by Abu Dāwūd ﵀ … from Abu Hurairah ﵁ from Rasūlullāh ﷺ: "Verily Allāh appoints for this Ummah, upon every hundred years, a reviver for its Dīn." Imām Aĥmad ﵀ would comment: "`Umar Ibn `Abdul `Azīz was sent at the end of the first hundred years, and Imām Shāfi`ī was sent at the end of the second century."[40]

Rabī` says: "Imām Shāfi`ī used to divide his night into three portions. The first third was for writing, the second third for Ŝalāh and the last third for rest." Rabī` also said: "In the month of Ramađān, Imām Shāfi`ī used to complete the recitation of the Qur'ān sixty times. It is not however possible to calculate how much of it was accomplished in Ŝalāh." Rabī` once said: "Imām Shāfi`ī used to complete thirty recitals of the Qur'ān in every month, but during the month of Ramađān, he used to complete sixty besides what he recited during Ŝalāh."[41]

The followers (of this madh-hab) are in `Iraq, Russia, China, Indonesia, (Malaysia), Egypt, Makkah, Madīnah, Yemen, etc.
Imām Shāfi`ī's name was Muĥammad Ibn Idrīs. He was born in the year 150 A.H. (the very year Imām Abu Ĥanīfah past away[a]). Imām Shāfi`ī passed away in the month of Rajab, 204 A.H.

رحمه الله تعالى رحمة واسعة

Imām Aĥmad Ibn Ĥambal

A reputed Muĥaddith, Ibrahīm Al-Ĥarbi (d. 285 A.H.) says: "I had the opportunity of seeing Imām Aĥmad Ibn Ĥambal . It seemed as if his heart was a treasure-chest containing all the knowledge granted to human beings, past and present. He could reveal whatever he saw relevant, and hold back what he did not desire to divulge."[42] Abu Zur`ah says: "Imām Aĥmad was a Ĥāfiź of one million Aĥādīth." Someone asked: "How do you know?" He said: "I revised with him, and noted the chapters

[a] Some are under the misconception that Imām Shāfi`ī was born the very day Imām Abu Ĥanīfah passed away, and they narrate a strange incident that took place at that time. These are baseless tales. And Allāh Ta`ālā knows best.

from him."[43] Imām `Abdurrazāq said: "I never saw anyone greater in Fiq-h and Wara` (cautiousness against disobedience of Allāh) than Imām Aĥmad Ibn Ĥambal." [44]

Muĥammad Ibnul-Ĥasan Ibn Hārūn said: "I saw Abu `Abdillah (Imām Aĥmad) when he was walking. He disliked that anyone should follow him." [45]

Imām Yaĥyā Ibn Ma`īn رحمة الله عليه says: "I never saw the like of Imām Aĥmad. We accompanied him for fifty years. He never once flaunted himself for the good that he possessed."[46]

`Allāmah Dhahabi quotes Imām Marrūdhi رحمة الله عليه as saying: "I have not seen the poor being given more honour anywhere else, than in the discourses of Imām Aĥmad رحمة الله عليه. He used to be attentive to the poor and indifferent to the affluent. He was a man of forbearance, and never hasty. He was extremely humble. His appearance signified a state of peace and sublimity. When he would sit down after `Aŝr prayers in his place for issuing Fatwās, he remained quiet until he was asked a question. When he left for the masjid, he never walked in front."[47]

Imām Aĥmad رحمة الله عليه was unimaginably harassed and tortured by the rulers of his time. During the Ramađān of 221 A.H., when he was 57 years of age, he was imprisoned by Mu`taŝim and lashed. This was only due to a mas'alah (ruling) which he adhered to, which some of the deviant sects did not concur with. He was lashed eighteen severe lashes, which caused him to lose consciousness. Thereafter, he was thrown down upon his face, a mat was placed over him, and his body was trampled. When he regained consciousness and food was placed before him, he refused to eat as he was fasting. Each one of those who took part

or witnessed the lashing was forgiven by him, except those who were in deviance. He used to say: “What benefit do you derive out of your Muslim brother being punished because of you.” Later, Allāh guided Mu`taŝim, who thus repented, and showed tremendous remorse over his behaviour.[48]

The Caliph Mutawakkil succeeded Wāthiq in 232 A.H. He held Imām Aĥmad in high esteem, but Imām Aĥmad remained cautious since he regarded the favours of the king as a temptation towards evil. Once Mutawakkil sent him a bag of ten thousand dirhams (silver-coins) and about two hundred dīnārs (gold coins). It was emphasized that he should accept it lest the king would be offended if the gift was refused. Imām Aĥmad رحمة الله عليه did not even look at it. At Maghrib time, he called his son Ŝāliĥ and said: “Keep this by you!”

Before dawn the next morning, Imām Aĥmad رحمة الله عليه shouted to his son, who immediately came. He said to him: “I haven’t slept last night”, and began to weep. He continued: “All my life, I remained safe from these (rulers and kings). Now, in old age, I am being trialled with them. I have decided to distribute this in the morning. That morning he continued distributing the money to the various factions of the poor and needy until the entire amount was spent and then gave the bag away to a destitute. His son says: “We were experiencing such poverty, which only Allāh knew.”[49]

His son `Abdullah رحمة الله عليه relates: “My father used to perform three hundred raka`āt daily. When he became ill due to the lashes which weakened him, he used to perform one hundred and fifty raka`āt. At that time he was close to eighty years of age. He used to daily recite one seventh (of the Qur'ān) thereby completing the Qur'ān in seven days. Besides the Ŝalāh of the day, he used to

complete one recital in seven nights as well. After performing `Ishā', he used to have a light nap, then stay awake up to the morning performing Ŝalāh and making du`ā. My father performed Ĥajj five times, three on foot, and two by conveyance. In a certain Ĥajj trip, he spent (only) twenty dirhams."[50]

Imām Marrūdhi رحمة الله عليه says: "Whenever Abū `Abdullah (Imām Aĥmad رحمة الله عليه) mentioned death, he would choke over his tears."[51] Ibrahīm Ibn Shammās رحمة الله عليه says: I knew Aĥmad Ibn Ĥambal as a child staying awake during the night (in `Ibādah)." [52]

The followers of the Ĥambali madh-hab are in: `Irāq, Ĥijāz, and Egypt.

Imām Aĥmad رحمة الله عليه was born in the year 164 A.H, and passed away on the morning of Friday, the 12th of Rabī`ul Awwal, 241 A.H. at the age of 77.

رحمه الله تعالى رحمة واسعة

12. Please list at least ten of the most distinguished scholars of Ĥadīth, who lived in different centuries, hailed from various lands, and followed each of the four madhāhib respectively.

Ĥanafi Madh-hab:

1) Abu Yūsuf Ya`qūb Ibn Ibrāhīm Al-Anŝāri رحمة الله عليه. A renowned scholar of Ĥadīth, most senior student of Imām Abu Ĥanīfah, and a student of Imām Mālik as well. The first to be conferred with the title "*Qāđi al Quđāh*" (Chief Justice) in Islām. Demise: 182 A.H.
2) Muĥammad Ibn Abdullah Ibnul-Muthannā رحمة الله عليه. A descendant of Anas Ibn Mālik رضي الله عنه who was a famous Companion of Rasūlullāh ﷺ. He was the "Qāđi" (Islāmic Justice) of Baŝrah and also one of

the Shuyūkh (teachers in Ĥadīth) of the following Imāms: Bukhari, Aĥmad Ibn Ĥambal, Yaĥyā Ibn Ma`īn, and others رحمهم الله.

Demise: 215 A.H.

3) Aĥmad Ibn Muĥammad, Abu Ja`far, Aṭ-Ṭaĥāwi رحمة الله عليه. He was an Imām in Ĥadīth and Fiq-h and an author of compilations of Ĥadīth such as 'Mushkilul Āthār', 'Sharĥ Ma`āni Al-Āthār', etc. Some scholars even regard him to have been a Mujtahid. Demise: 321 A.H.

4) Abu Bakr, Aĥmad Ibn `Ali, Ar-Rāzi, Al-Jaŝŝāŝ رحمة الله عليه. He was an Imām in Fiq-h and Ĥadīth and the author of 'Āhkāmul Qur'ān', and other books. Demise: 370 A.H.

5) Jamāluddīn, Abdullah Ibn Yūsuf, Az-Zaila`ī رحمة الله عليه. He was an Imām in the sciences of Ĥadīth and Fiq-h and the author of 'Naŝbur-Rāyah'. Demise: 762 A.H.

6) Mahmūd Ibn Aĥmad, Al-Badr, Al-`Aini رحمة الله عليه. He was the author of `Umdatul-Qāri', the famous and voluminous commentary on Ŝaĥīĥ Al-Bukhāri and several other books. Demise: 855 A.H.

7) Muĥammad Ibn `Abdul-Wāĥid, Kamāluddīn, "Ibnul-Humām" رحمة الله عليه. He was known to have been an expert in almost every branch of Dīni (religious) knowledge. Some even claim that he was fit to have been a Mujtahid. He was the author of 'Fat-ĥul Qadīr', etc. Demise: 861 A.H.

8) Qāsim Ibn Quṭlūbghā رحمة الله عليه. He was a great scholar of Ĥadīth and Fiq-h and the author of 'Munyatul Alma`ī', and other books. Demise: 879 A.H.

9) Muĥammad Ṭāhir Al-Fattani, Al-Kujrāti رحمة الله عليه. He was titled by Shaikh Zāhid Al-Kowthari رحمة الله عليه as: Malikul Muĥaddithīn (the King of the scholars of Ĥadīth). He was the author of 'Majma`u Biĥaril Anwār', etc. Demise: 987 A.H.

10) `Ali ibnus-Sulṭān Muĥammad Al-Qāri, Al-Harawi, Al-Makki, better known as Mullā `Ali Al-Qāri رحمة الله عليه. He was the author of

'Mirqātul Mafātīĥ' – a famous commentary of the book of Ĥadīth, 'Mishkātul Maŝābīĥ', and other books. Demise: 1014 A.H.

11) `Abdul-Ĥayy, Abul-Ĥasanāt, Al-Lakhnawi رحمة الله عليه. He was the author of a number of commentaries of Ĥadīth and Fiq-h. He was amongst the most knowledgeable scholars of his time in the field of *Aĥādīth-ul-Aĥkām* as stated by `Allāmah Kowthari رحمة الله عليه. Demise: 1304 A.H.

Shāfi`ī Madh-hab:

1) `Abdullah Ibn Muĥammad, Abu Bakr, Ibn Abi Shaibah رحمة الله عليه. He was the Shaikh (teacher) of Imām Bukhāri, Muslim, Abu Dāwūd and Ibn Mājah رحمهم الله and the author of 'Muŝannaf'. Demise: 235 A.H.

2) Abu Bakr, Aĥmad Ibnul-Ĥusain, Al-Baihaqi رحمة الله عليه. He was an authority in the science of Ĥadīth and an author of voluminous works in Ĥadīth such as 'Sunan Al-Baihaqi, etc. Demise: 458 A.H.

3) Ĥusain Ibn Mas`ūd, Abu Muĥammad, Al-Baghawi رحمة الله عليه. He was the author of 'Shar-ĥ As-Sunnah' and 'Maŝābīĥ' in Ĥadīth, and 'Ma`ālimut-Tanzīl' in Tafsīr. Demise: 512 A.H.

4) `Ali Ibnul-Ĥusain, Abul-Qāsim, Ibn `Asākir رحمة الله عليه. He was authority in the science of Ĥadīth and an author of many outstanding works on Ĥadīth and narrators. Demise: 571 A.H.

5) Abdul-`Aźīm Ibn `Abdul-Qawiy, Al-Mundhiri رحمة الله عليه. He was an authority in the science of Ĥadīth and the author of 'At-Targhīb Wat-Tarhīb'. Demise: 656 A.H..

6) Muĥyiddīn Abu Zakariyyā, Yaĥyā Ibnush-Sharaf, An-Nawāwi رحمة الله عليه. He was an authority in the sciences of Fiq-h and Ĥadīth, a commentator of Ŝaĥīĥ Muslim and an author of many books. Demise: 676 A.H.

7) Ismā`īl Ibn `Umar, `Imādudīn, Ibn Kathīr رحمة الله عليه. He was an authority in the fields of Tafsīr and Ĥadīth and the author of 'Al-

Bā`ithul Ĥathīth', and the famous 'Tafsīr-Ibn-Kathīr', etc. Demise: 774 A.H.

8) `Abdur-Raĥīm Ibnul-Ĥusain, Abul-Fađl, Zainuddīn, Al-`Īrāqi . He was an authority in the sciences of Fiq-h and Ĥadīth and the author of 'Takhrīju Aĥādīthil Iĥyā''. Demise: 806 A.H.

9) `Ali Ibn Abu Bakr, Abul-Ĥasan, Nūrudīn, Al-Haithami . He was an authority in the science of Ĥadīth and the author of 'Majma`uz-Zawā-id'. Demise: 807 A.H.

10) Aĥmad Ibn `Ali, Ibn Ĥajar, Al-`Asqalāni . He was an authority in the field of Ĥadīth and the author of 'Fat-ĥul-Bāri' – the most famous commentary on Ŝaĥīĥ Al Bukhāri. Demise: 852 A.H.

11) Muĥammad Ibn `Abdurrahman, Shamsuddīn, as-Sakhāwi . He was an authority in the science of Ĥadīth, and an author of many books in this regard. Demise: 902 A.H.

12) `Abdur-Raĥīm Ibn Abu Bakr, Jalāluddīn As-Suyūṭi . He was an author of many famous works in the field of Ĥadīth. Demise: 911 A.H.

Māliki Madh-hab:

1) Muhammad Ibn `Abdus-Salām, Ibn Suĥnūn, Abū `Abdullah, Al-Qairawāni . He was a very high ranking scholar of Ĥadīth and Fiq-h and an author of books in almost every field. Demise: 256 A.H..

2) Ismā`īl Ibn Isĥāq, Abu Isĥāq, Al-Qāđi, Al-Jahđami . He was an a contemporary of Imām Bukhāri and an expert in Ĥadīth, Fiq-h, `Ilmul Qirā'āt, etc. Demise: 282 A.H..

3) Aslam Ibn `Abdul `Azīz Ibn Hishām , Chief Justice of Andalusia. He was a Ĥāfiź of Ĥadīth and an expert in Fiq-h. Demise: 319 A.H.

4) `Ali Ibn Muĥammad, Abul-Ĥasan, Al-Qābisi رحمة الله عليه. He was an expert in the sciences of Ĥadīth and Fiq-h. Demise: 403 A.H.

5) Yūsuf Ibn `Abdullah, Ibn `Abdil-Barr, Al-Qurṭubi رحمة الله عليه. He was an expert in Ĥadīth and history and the author of 'At-Tamhīd' – an extensive commentary on the 'Muwaṭṭa' of Imām Mālik, and author of a number of other authoritative books in the field of Ĥadīth. Demise: 463 A.H..

6) Ahmad Ibn `Abdil-Malik, Abul-`Abbās, Ibn Abi Jamrah رحمة الله عليه. Demise 532 A.H.

7) Muĥammad Ibn `Abdullah, Al-Ish-bīli, Ibnul-`Arabi رحمة الله عليه. He was an expert in Ĥadīth and Fiq-h. Some `Ulamā' believe him to have reached the status of Ijtihād. He was the author of '`Āriđatul Aĥwadhi' (commentary of 'Sunan at-Tirmidhi'). Demise: 543 A.H.

8) `Iyāđ Ibn Mūsā, Al-Yaĥŝabi, Al-Qāđi, Al-Andalusi رحمة الله عليه. He was an authority in the sciences of Ĥadīth, etc. and the author of a commentary on 'Ŝaĥīĥ Muslim'. Demise: 544 A.H.

9) Muĥammad Ibn Muĥammad, Ibn `Arafah, Al-Warghami, At-Tūnisi رحمة الله عليه. He was an authority in almost every science of `Ilm, including Fiq-h and Ĥadīth. Demise: 803 A.H.

10) Sulaimān Ibn Khalaf Al-Bāji رحمة الله عليه. He was an authority in Ĥadīth and Fiq-h and the author of 'At-Ta`līlu Wat-Tajrīĥ liman Rawā `anhul Bukhariyyu fis-Saĥīĥ'. Demise: 474 A.H.

Ĥambali Madh-hab:

1) Aĥmad Ibn Ja`far, Abu Bakr, Al-Qaṭī`ī, Musnidul Waqt رحمة الله عليه. He was a Shaikh (teacher) of many of the famous Muĥaddithīn such as Dāruquṭni رحمة الله عليه and others. He was one of the narrators of the Musnad of Imām Aĥmad رحمة الله عليه via the son of Imām Aĥmad, named `Abdullah. Demise: 368 A.H.

2) `Abdur-Raĥmān Ibn `Ali, Abul-Faraj, Ibnul-Jowzi رحمة الله عليه. He was an expert in many sciences of `Ilm including Ĥadīth, and author of many books on this subject. Demise: 597 A.H.

3) `Abdul-Ghani Ibn `Abdul Wāhid, Abu Muĥammad, Taqiyyuddīn, Al-Maqdisi رحمة الله عليه. He was an authority in the field of Ĥadīth. Demise: 600 A.H.

4) Muĥammad Ibn Taqiyyuddīn, `Izzuddīn, Abul-Fat-ĥ رحمة الله عليه. He was an authority in Ĥadīth and Fiq-h. His father Taqiyyuddīn رحمة الله عليه was also a Ĥāfiź of Ĥadīth. Demise: 613 A.H.

5) `Abdullah Ibn Aĥmad Ibn Qudāmah, Muwaffaquddīn رحمة الله عليه. He was an authority in Fiq-h, Ĥadīth, Tafsīr, `Ilmul Farā-iđ, Uŝūl, etc. and the author of Al-Mughni, etc. Demise: 620 A.H.

6) Muĥammad Ibn `Abdul-Ghani, Abu Bakr, Ibn Nuqţah, Mu`īnuddīn رحمة الله عليه. He was a Hāfiź and authority in the field of Ĥadīth and the author of 'At-Taqyīd fi Ma`rifatil Kutubi wal Masānīd'. Demise: 629 A.H.

7) Muĥammad Ibn `Abdul-Wāĥid Ibn Aĥmad, Ađ-Điyā', Al-Maqdisi رحمة الله عليه. He was amongst the renowned experts on Ĥadīth during his era and an author of a number of books in Ĥadīth and other fields. Demise: 643 A.H.

8) Aĥmad Ibn `Abdul-Ĥalīm, Abul-`Abbās, Ibn Taimiyyah رحمة الله عليه. He was a Ĥāfiź of Ĥadīth. Demise: 728 A.H.

9) Muĥammad Ibn Aĥmad, Ibn `Abdil-Hādi, Al-Maqdisi رحمة الله عليه. He was a famous scholar of Ĥadīth and an expert in other fields of `Ilm as well. Demise: 744 A.H.

10) `Abdur-Raĥmān Ibn Aĥmad, Ibn Rajab رحمة الله عليه . He was an one of the commentators of 'Sunan At-Tirmidhi', and 'Saĥīĥ Al-Bukhāri' and an authority in the fields of Ĥadīth and Fiq-h. Demise: 795 A.H.

11) Muĥammad Ibn Aĥmad, Abul-`Awn, As-Saffārīni رحمة الله عليه. He was the author of 'Ad-Durarul Maŝnū`āt fil Aĥādīthil Mowđū`āt', etc. authority in the fields of Fiq-h and Ĥadīth. Demise: 1188 A.H.

Moulāna Sarfarāz حفظه الله states[53]: "O readers! This is an ocean that has no shore. Take a look into the books on biographies, the books on the categories of the Muĥaddithīn, the Fuqahā, the Historians, the Mufassirīn, the grammarians, etc. and observe. You will certainly find that at least 98 percent of all of them were Muqallidīn, i.e. they were followers of a particular madh-hab…

13. Was Taqlīd practiced during the time of the Ŝaĥābah رضي الله عنهم as well?

A: Yes, this concept was prevalent during the time of the Ŝaĥābah رضي الله عنهم. Consider the following narrations:

1. `Ikrimah رحمة الله عليه narrates that the people of Madīnah, during Ĥajj once asked Ibn `Abbās رضي الله عنه about the ruling of a particular mas'alah (ruling). After receiving an answer from him, they said: "We will not practice upon your ruling and leave the ruling given by Zaid (Ibn Thābit) رضي الله عنه."[54]

2. Once `Umar رضي الله عنه saw Ṭalĥah رضي الله عنه adorned in a coloured Iĥrām and said[55]: "You – O group - are the Imāms, whom people follow. If some ignorant person sees this cloth, he will say that Ṭalĥah wore a coloured cloth in Iĥrām[a]."

3. It is reported that certain very learned Ŝaĥābah would abandon their own views for the views of those whom they

[a] The reason why `Umar رضي الله عنه forbade him from wearing it is because people commonly used saffron to colour their clothing, which normally has a scent. The use of scented garments and items during Iĥrām is forbidden. The garment worn by Ṭalĥah رضي الله عنه was coloured by a type of scent-free clay.

considered were more able and worthy. Consequently Ibn Mas`ūd ﷺ would leave his view for that of `Umar ﷺ; Abu Mūsā ﷺ would leave his view for that of `Ali ﷺ; and Zaid Ibn Thābit ﷺ would leave his view for that of Ubaiyy Ibn Ka`b ﷺ …"[56] – despite the fact that each of these Ŝaĥābah ﷺ possessed vast knowledge.

4. Imām Ṭāwūs ﷺ says[57]: "I met seventy from amongst the companions of Rasūlullāh ﷺ, who would resort to the opinion of Ibn `Abbās ﷺ whenever they differed in any matter."

5. Ponder also over the answer that `Urwah ﷺ gave to Ibn `Abbās ﷺ in the incident mentioned under question number 19: "They (i.e. Abu Bakr ﷺ and `Umar ﷺ) were more knowledgeable about the book of Allāh and the Sunnah of Rasūlullāh ﷺ than you and I."

14. Did the concept of only specific persons being authorized to extract rulings from the sources of Sharī`ah exist amongst the Ŝaĥābah ﷺ as well?

A: Yes, indeed. This concept was prevalent amongst the Ŝaĥābah ﷺ as well. This is vividly clear from the following quotations:

Ibnul Qayyim ﷺ states[58]: "As far as my knowledge goes, the number of those who issued Fatwā from amongst the companions of Rasūlullāh ﷺ, was over one hundred and thirty. This total comprises of both men and women. Seven of them engaged more (in this field)... ."

Ĥađrat Ibn `Abbās ﷺ says that Ĥađrat `Umar ﷺ delivered a sermon at a (a place called) Jabia, and said. O people! Those of

you who wish to know about the Qur'ān should ask Ubayy Ibn Ka`b, those who wish to ask about *`Ilmul Farā-iđ* (inheritance) should go to Zaid Ibn Thābit, those who wish to ask about *Fiq-h* should go to Mu`ādh Ibn Jabal, and those of you who wish to ask about property (goods), should come to me, for Allāh has made me its custodian and distributor."[59]

15. Are there Mujtahids living in our time as well?

A: The following quotation of the eminent historian of Islām, `Allāmah `Abdurraĥmān Ibn Muĥammad Al-Maghribi (d. 808 A.H.) sheds light upon this matter. He writes: "… Taqlīd became confined to these four (Imāms) in all the cities (of the Muslim world), and followers of other (Imāms) became extinct. Thus, when the terminologies of the (various) sciences had become wide-spread, and people encountered immense difficulty in accomplishing the degree of Ijtihād, and it was feared that Ijtihād would be attributed to someone non-worthy of it or someone whose opinion and Dīn was unreliable, then the people (among the scholars) closed the doors to (further) differences. The `Ulamā' therefore clearly stated that the ability to reach the rank of a Mujtahid has become virtually impossible. They thereby directed the people to making Taqlīd of one of these four (Imāms) and also warned people against switching Taqlīd (between different madhāhib) for the mockery (of Allah's commands) that it comprises of…. Anyone who thus claims Ijtihād in this age will be rejected and will not be followed. The entire Muslim world now have consensus about the Taqlīd of these four Imāms."[60]

During the tenth century of Islām, Imām Suyūṭi رحمة الله عليه (d. 911 A.H.) claimed Ijtihād. `Allāmah Shihāb Ibn Ĥajar Al-Haitami رحمة الله عليه (d. 974 A.H.) says: "When (Imām) Jalāl(uddīn Suyūṭi) claimed that, his

contemporaries stood up before him, and shot at him with one arrow; presenting to him a questionnaire about some issues. In it, they stated two possible answers to each question, and said: if he has even reached the lowest degree of Ijtihād, which is Ijtihād in Fatwā, then he should stipulate the preponderate views, substantiated with proof, in conformance with the maxims laid down by the Mujtahidīn.

However, he returned their questionnaire without any answer, excusing himself that he was too busy, and was therefore unable to look into those questions."

`Allāmah Shihāb ar-Ramli ﷫ (d. 957 A.H.) states: "The person who has a picture of the degree of the unrestricted Ijtihād would feel ashamed before Allāh from attributing it to anyone of this day and age. In fact, Ibnuŝ-Ŝalāĥ (d. 643 A.H.) and his followers stated that it had become extinct three hundred years ago. Ibnuŝ-Ŝalāĥ himself passed away three hundred years ago, hence, it had become extinct about six hundred years ago."

`Allāmah Munāwi ﷫ (d. 1031 A.H.) says: "The `Ālim of the Syrian region, (Imām) Ibn Abid-Dam (d. 642 A.H.) writes, after mentioning all the conditions of Ijtihād: "It is hardly possible to find these conditions in any scholar of our age. Instead, there is no *Mujtahid muṭlaq* on the surface of the earth today."[61]

Moulānā Ashraf `Ali T-hānwi ﷫ writes in this regard: "The rejecters of Taqlīd object by saying: "*Did the Ĥanafis (or Muqallids) receive Waĥy (revelation) that Ijtihād has come to an end*?" However, (they do not understand that) it is a divine principle that the existence of every necessity occurs at times of its need. Rainy seasons generally occur during the months of need for rain that

vary according to region. Winds also blow at times of need. Where temperatures become intensely low, animals have thicker wool; and there are countless such examples. Likewise, when there was a need for the recording of Ĥadīth, Allāh created people with phenomenal memories. Such memories are nowhere to be found today. Even these very rejecters of the four madhāhib, who sing slogans of following Ĥadīth, are not able to bring forth one individual who has memorized even Ŝaĥīĥ Al-Bukhāri and Ŝaĥīĥ Muslim with their chains of narrations as was done by the illustrious authors of these blessed books.

"In the same way, when the need arose to document the Sharī`ah, Allāh granted many people grand talents and capabilites in Fiq-h and Ijtihād. Now that Dīn has been recorded, and its laws and fundamentals outlined, this need no longer exists. Yes, to the extent of need, some ability of Ijtihād is still to be found, whereby contemporary laws are formulated, through the medium of the principles laid down by the Mujtahidīn.[a]"[62]

16. What is the difference between a Faqīh and Muĥaddith?

A: A *Muĥaddith* is one whose life is devoted to preserving the sacred Aĥādīth of Rasūlullāh ﷺ. For this, he exerts himself in gathering the Aĥādīth – whether by memory as in the case of the Mutaqaddimīn (i.e. early scholars), or by script as in the case of the latter scholars. He also gathers their chains of narration, and is meticulous about every vowel, letter, and dot in the words of the Ĥadīth. He also studies and scrutinizes the chains of narration and the life-story of each narrator. Basically, he engages himself in

[a] Please refer to the answer of question no. 17 for details regarding which category of Fuqahā are fit to execute this responsibility.

the study of the various sciences relating to the preservation and recording of the Noble Aĥādīth of Rasūlullāh ﷺ. Each one of the above sciences is an independent field of study. Some of them may further be subdivided into numerous other branches. The Muĥaddith should have a *basic* understanding of the principles relating to *all* of the above sciences as well as a *comprehensive* grasp of the field he *specializes* in. The Muĥaddithīn have thus been categorized into numerous groups, with some having super-specialized in one or two branches of the field of Ĥadīth.

A *Faqīh* (jurist) on the other hand is one whose life is devoted to understanding the purport of the sacred words of Rasūlullāh ﷺ, and acquiring proficiency in it. In order to achieve this, he should possess a basic understanding of the various sciences of Ĥadīth as well. He also gathers Aĥādīth and extracts common meanings from them. He has the ability to explain the apparent contradictions that are found in the Aĥādīth and untie their knots. He has a deep understanding of the Qur'ān and is well-versed in the various sciences of the Arabic language as well. He also possesses knowledge of the statements of the Ŝaĥābah رضي الله عنهم, and has a comprehensive understanding of the principles of analogy.

The Muĥaddithīn were always in larger numbers than the Fuqahā. And those who managed to excel in both were even less. Shaikh `Abdul Fattāĥ Abu Ghuddah رحمه الله writes: "And those who gathered between "Riwāyah" (i.e. the science of Ĥadīth) and "Dirāyah" (i.e. the science of Fiq-h) were very few[a]. Ĥāfiź Ar-

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[a] A friend of mine who studied in the Arab world wrote to me thus: "A prerequisite for appointing a person as the Grand Shaikh of the famous 'Darul-Ĥadīth Al-Ashrafiyyah' in Damascus was the combination of *Riwāyah* and *Dirāyah*. Thus, this great honour was afforded to Imām Nawawi, Imām Subki, etc".

Rāmahurmuzi ﷺ narrates in his book *'Al-Muĥaddithul Fāŝilu bainar-Rāwī wal Wā`ī'* on page 60, from Anas Ibn Sīrīn ﷺ who stated: "I came to Kūfah and saw four thousand people seeking Ĥadīth, and four hundred who were studying Fiq-h.[a]" [63]

This is because of the complexity of Fiq-h which is based on (vast) knowledge and deep understanding of the book of Allāh, the Sunnah and the statements of Ŝaĥābah ﷺ, etc. It also requires one to have the capacity to gather the various proofs, and preponderate[c] between them; and to possess a deep insight into the different purports within the Arabic language as regards *"Balāghah", "Majāz", "Ĥaqīqah", "Kināyah", etc.*

There is no doubt about the ease in mere narrating for that person whose mind is focused on memorizing, absorbing and narrating only. It is for this reason that more people devoted themselves to specializing in "*Riwāyah."*

Whilst the Mujtahid is one who has comprehensive knowledge of both the above fields and others as well, the term Fuqahā is also utilized with reference to the Mujtahidīn.

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[a] Shaikh `Abdul Fattāĥ ﷺ, in his footnotes on *'ar-Raf`u wat-Takmīl'* on page 323, quotes from *'Ţabaqātul Ĥanābilah'* of Ibn Abī Ya`lā 1/329 that Muĥammad Ibn Yazīd Al-Mustamli ﷺ said: "I asked Imām Aĥmad Ibn Ĥambal about `Abdur-Razzāq (Ibn Hammām Aŝ-Ŝan`āni, the teacher of Imām Aĥmad and the author of Al-Muŝannaf): "Did he have Fiq-h?" Imām Aĥmad replied: "How scarce isn't Fiq-h amongst the scholars of Ĥadīth."

[c] i.e. determine which of the two or more proofs hold more strength. This is known as *Tarjīĥ*.

A few examples are given hereunder, to elucidate the difference between a Muĥaddith and a Faqīh:

1) Muĥammad Ibn `Abdullah Ibnul-Ĥakam was asked. Who is a Faqīh? He replied. "The person who extracts one principle from the Qur'ān or Sunnah in which he was not preceded by anyone, then divides that principle into one hundred branches." The person asked. Who is it that has such power? In reply he said: "Muĥammad Ibn Idrīs Ash-Shāfi`ī" (this was the name of Imām Shāfi`ī رحمة الله عليه).[64]

2) At times, Imām Abu Ĥanīfah رحمة الله عليه would be asked about a mas'alah (ruling) whilst in the presence of his teacher, Imām A`mash رحمة الله عليه – the famous and renowned Tābi`ī (one who learnt from Ŝaĥābah) and scholar of Ĥadīth and Qirā'āt – in the following manner: "What do you state about the following …". He would give a reply according to his deductions concerning the mas'alah (ruling). Imām A`mash would then enquire from him the substantiation for his answer. The following is an example of how he used to reply: "You narrated to us from Abu Ŝāliĥ, who narrated from Abu Hurairah, and from Abu Wā'il who narrated from `Abdullah Ibn Mas`ūd, and from Abu Iyās from Abu Mas`ūd Al-Anŝāri that Rasūlullāh ﷺ said:

مَن دَلَّ عَلَى خَيرٍ كَانَ لَهُ مِثلُ أَجْرِ فَاعِلِهِ. . .

He who indicates towards a good deed, shall receive the like reward as the one who carried it out.

and you narrated to us from Abu Ŝāliĥ from Abu Hurairah رضي الله عنه that a man said to Rasūlullāh ﷺ : O Rasūl of Allāh! I was performing Ŝalāh in my home when a man came to me, so I felt pleasure in that. Rasūlullāh ﷺ replied to him:

لكَ أَجْرَانِ، أَجْرُ السِّرِّ وَأَجْرُ الْعَلَانِيَةِ. . .

For you are two rewards, the reward of secrecy, and the reward of publicity…

And you narrated to us from Ĥakam, from Abul Ĥakam, from Ĥudhaifah ؓ from Rasūlullāh ﷺ …; and you narrated to us from Abuz-Zubair from Jābir ؓ from Rasūlullāh ﷺ ; and you narrated to us from Yazīd ar-Raqqāshi from Anas ؓ from Rasūlullāh ﷺ …".

Imām A`mash رحمة الله عليه would then exclaim: "Enough! You wish to narrate to me in one moment what I narrated to you in 100 days. I was not aware that you have practical application to all these Aĥādīth. *O Fuqahā! You are the physicians and we (the Muĥaddithīn) are the dispensers*. And you, O man (speaking to Imām Abu Ĥanīfah رحمة الله عليه) have gathered both sides.[65]

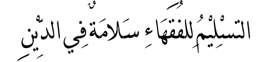
3) Muĥammad Ibn Sammā`ah رحمة الله عليه narrates[66]: "Īsā Ibn Abān (a famous Muĥaddith and well-known Ĥanafi scholar) used to perform Ŝalāh with us (in the masjid where Imām Muĥammad Ibnul Ĥasan رحمة الله عليه – the student of Imām Abu Ĥanīfah رحمة الله عليه and the third highest authority of the Ĥanafi madh-hab – used to perform Ŝalāh and thereafter have discussions on Fiq-h). I used to invite him to come to Muĥammad Ibnul Ĥasan رحمة الله عليه (to learn from him). He would say in reply: "These are people who contradict Ĥadīth." Īsā رحمة الله عليه was a scholar who had memorized a substantial amount of Ĥadīth.

"One morning he performed Fajr Ŝalāh with us, and it happened to be the very same day Imām Muĥammad رحمة الله عليه was going to conduct his discourse. I did not allow him to leave until he (also) sat in the gathering. At the close (of the discussion), I took him to

Imām Muĥammad ﵀ and said: "This is the son of your brother (in Islām) Abān Ibn Ŝadaqah, the scribe. He is brilliant, and has the knowledge of Ĥadīth. I invited him to you but he refused saying that we contradict Ĥadīth." Imām Muĥammad addressed him and said: "O my son! What do you see us contradicting in Ĥadīth? Do not bear witness against us until you hear from us". So Imām Īsā ﵀ asked him questions relating to twenty-five chapters of Ĥadīth, and in each chapter, Imām Muĥammad ﵀ answered (narrating to him the Aĥādīth of these subjects) and would inform him of all those Aĥâdīth that have been abrogated, with proof and evidence.

After we left, Īsā Ibn Abān ﵀ turned to me and said: "There was a barrier between myself and nūr (divine light), which has now been lifted! I was not aware that there existed a man in Allāh's kingdom like this, who He has disclosed for the people." Īsā ﵀ then accompanied Imām Muĥammad ﵀ and did not separate from him, until he became a Faqīh by him."

The above examples draw a vivid picture of the difference between a Faqīh and a Muĥaddith. A Muĥaddith preserves the Aĥādīth of Rasūlullāh ﷺ, and a Faqīh extracts the Dīn of Allāh Ta`ālā from them. Thus, in practice, the Faqīh ought to be followed. It is for this reason that Sufyān Ibn `Uyaynah ﵀, an illustrious scholar of Ĥadīth, used to say[67]:



"Submitting to the Fuqahā is safety in Dīn."

Imām `Ali Ibn Al-Ja`d relates about the famous Muĥaddith among the Tābi`īn, Zuhair Ibn Mu`āwiyah[a] that a man came to him (to learn). He asked him: "Where do you come from (i.e. where have you been learning previously)?" The man replied: "…from Abu Ĥanīfah." Imām Zuhair remarked: "*Your going to Abu Ĥanīfah for one day is more beneficial for you than staying with me for one month.*"[68]

It has also been narrated about `Abdullah Ibn Wahb, one of the most eminent students of Imām Mālik and an outstanding scholar of Ĥadīth رحمهما الله, that he said[69]: "I met (i.e. studied under) three hundred and sixty `Ulamā'. Had it not been for Imām Mālik and Imām Laith Ibn Sa`d[b] رحمهما الله, I would have gone astray in knowledge."

He is also reported to have stated[70]: "Every student of Ĥadīth who does not have an Imām (guide/leader) in Fiq-h is astray. Had it not been for Imām Mālik and Laith, we would have been astray."

He once said[71]: In `Ilm we followed four: two in Egypt and two in Madīnah: Laith Ibn Sa`d and `Amr Ibn Al-Ĥārith in Egypt, and Mālik and Al-Mājishūn in Madīnah. Had it not been for them, we would have been astray."

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[a] Zuhair Ibn Mu`āwiyah is the one regarding whom Shu`aib Ibn Ĥarb said: "Zuhair is a greater Ĥāfiź of Ĥadīth than twenty people, the like of Shu`bah", whereas Shu'bah himself was known as 'Amīrul Mu'minīn fil Ĥadīth'.

[b] Imām Shāfi`ī used to say about Imām Laith that he was a greater Faqīh than Imām Mālik.

It is probably for this reason that Ĥāfiź Ibn `Abdil Barr ﷬ (d: 423 A.H.) wrote[72]: "As for studying Ĥadīth in the manner that students of today study it, without obtaining some knowledge of Fiq-h and contemplating its meanings (properly), this is Makrūh according to a group of the `Ulamā.'" [a]

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[a] This difference between a Muĥaddith and a Faqīh has also been pointed out in the following *Aĥādîth*:

1. Imām Tirmidhi reports from Zaid Ibn Thābit ﷺ that Rasūlullāh ﷺ said (during his farewell sermon, in Ĥajjatul Widā`): "May Allāh keep that person fresh and radiant who hears from us a statement and *remembers it until he conveys it*; as how many a carrier of Fiq-h there is to one who has a greater understanding of Fiq-h than him, and how many a carrier of Fiq-h is not a Faqîh." The last two statements of this *Ĥadīth* refer to a *Muĥaddith* as he merely carries the knowledge of Ĥadīth from which *Fiq-h* is derived, and conveys it to the *Faqīh* who then extracts its *Fiq-h* from it.
2. Imām Bukhāri (in *Ĥadīth* no. 79) and Muslim (in *Ĥadīth* no. 5953) رحمهما الله تعالى report from Abu Mūsā Ash`ari ﷺ (d: 52 A.H.) who narrates from Rasūlullāh ﷺ: "The example of the knowledge and guidance that I have brought is like abundant rain which pours onto a stretch of land. Some areas are fertile, and accept the water (by absorbing it), which then grows grass and many plants. There are also barren patches, which hold the water (above without absorbing it), through which Allāh benefits the people. So they use it for drinking, to quench the thirst of others, and irrigating (their lands). A third type of patches exists that are plains, which cannot hold water (above), nor grow anything. So that is the example of the person who accomplishes "Fiq-h" in the Dîn of Allāh, and Allāh benefits him with that which He sent me with. Hence, he knows (learns) and teaches; and the example of him who does not lift a head (i.e. he gives no attention) to it, and thereby he does not accept (absorb) that which I have been sent with." =

17. Please explain the various degrees and categories of the Fuqahā:

A: The scholars have differed in as far as categorizing the Fuqahā. The following is an example: `Allāmah Shamsuddīn Muĥammad Ibn Sulaimān رحمة الله عليه, better known as Ibn Kamāl Bāshā writes in one of his booklets[73]:

"It is essential for a Muftī who is a Muqallid (i.e. not a Mujtahid) to know the condition of the one whose opinion he uses to pass judgement. We do not mean that he should know his name, lineage and where he comes from, as that is of no avail to him. Rather, we mean his calibre of knowledge in "Riwāyah" (i.e. Ĥadīth, etc.), his status in "Dirāyah" (i.e. expertise in Fiq-h), and his category amongst the Fuqahā, so that he (i.e. the Muqallid Muftī) may have enough insight into distinguishing between the various scholars who may differ, and he may also have sufficient ability to recognize the preponderant[a] view amongst two conflicting views. We therefore state:

= This Ĥadīth is explained by Moulānā Sarfarāz on page 71 of his book *'Al-Kalām Al-Mufīd'* with the following words: "The first type of land may be explained as the Fuqahā, who receive the spiritual rain i.e. the Qur'ān and Ĥadīth, and use it to quench (solve) the various problems experienced by man in his diverse spheres. The second type of land is likened to the *Muĥaddithîn,* who gather the spiritual rain of the Qur'ān and *Ĥadīth,* and collect it in the dams of their memories and quench the thirst of mankind in accordance with the level of their expertise. The third type of land can be likened to a lay person who is not a *Muĥaddith,* nor a *Faqîh,* he is not able to benefit himself (directly from this spiritual rain) and nor is he able to benefit others."

[a] i.e. the one declared stronger in proof by the Fuqahā.

"Verily the Fuqahā are divided into seven categories (in the following order):

1) The category of the Mujtahidīn – i.e. those who perform Ijtihād in the Sharī`ah, such as the four Imāms in Fiq-h, and those who treaded their path in building the fundamental principles for extracting subsidiary laws from the four main sources (of Sharī`ah viz. the Qur'ān, Ĥadīth, Ijmā` and Qiyās). They do not make Taqlīd of anyone, neither in subsidiary laws, nor in principles.

2) The category of those who perform Ijtihād within the madh-hab (of a Mujtahid), such as Abu Yūsūf and Muĥammad – the two students of Imām Abū Ĥanīfah رحمهم الله. They had the ability to extract laws from the basic sources (of Sharī`ah) in accordance with the principles laid down by their teacher (Imām Abū Ĥanīfah). They differed with him in subsidiary laws, but made Taqlīd of him in the fundamental principles[a].

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[a] Some recognized scholars have disagreed about including these two illustrious students of Imām Abu Ĥanīfah in this category. They believe that Imām Abu Yūsuf and Imām Muĥammad رحمهما الله were rather *Mujtahid Muntasib* – i.e. in spite of being qualified to the highest level of Ijtihād, they preferred to keep themselves linked to another Mujtahid. The very scholars, who say this, have contended the categorizing of the other *Fuqahā* given in the below-mentioned categories as well. Their opinion is that, many of these *Fuqahā* ought to have been accorded a higher status than what they were given. This quotation is being mentioned here as an example only. And Allāh Ta`ālā knows best.
An illustrious young scholar who revised this book requested the following valuable comment to be added here: "Many of the Fuqahā were placed within certain categories because they served their Math-hab within that particular field. They did so because of the need of =

3) The category of those who perform Ijtihād in laws regarding which there exists no narration (statement) from the authority of the madh-hab, such as Al-Khaŝŝāf (d. 261 A.H.), Abū Ja`far Aț-Țaĥāwi (d. 321 A.H.), Abul Ĥasan Al-Kar-khi (d. 340 A.H.), Shamsuddīn Al-Ĥulwāni (d. 456 A.H.), Shamsul A-immah As-Sarakhsi (d. (app.) 500 A.H.), Fakhrul Islām Al-Bazdawi (d. 482 A.H.), Fakhrul Islām Qāđī Khān (d. 593 A.H.) and others who do not have the capacity to differ with the Imām, not as far as principles, and nor as far as subsidiary laws. However, they extract laws regarding which there is no narration from him, in accordance with the principles that he (the Imām) had laid, and fundamentals that he had expounded.

4) The category of the 'Aŝĥābut-Takhrīj' from amongst the Muqallidīn, such as Imām Ar-Rāzi Al-Jaŝŝāŝ (d. 370 A.H) and his like. They do not have the ability to perform Ijtihād at all. They however, possess extensive knowledge about the principles, and have accurately mastered the sources. Thus they have the power to elaborate/specify the meanings of such ambiguous statements and laws, narrated from the authority of the madh-hab or one of his disciples, that may be understood in two different ways or may have two differing possible meanings …

5) The category of the 'Aŝĥābut-Tarjīĥ' of the Muqallidīn, such as Abul Ĥasan Al-Qudūri (d. 428 A.H), the author of 'Al-Hidāyah' (d. 593 A.H) and their like. Their task is to preponderate one opinion (within the madh-hab) over others by (the following examples of categorical) statements like: *this (view) is preferred, this one is more correct as far as narration, this is clearer, this is more analogical, this is easier for the people,* etc.

= the time, even though their level of qualification and knowledge may have been far above the field that they served."

6) The category of those Muqallidīn who have the ability to differentiate between the *stronger*, the *strong*, the *weak*, the *Źāhirur-riwāyah*, the *Źāhirul-Madh-hab*, and the *rare narrations*; such as the authors of the authorized texts (of Fiq-h) such as: *'Kanz'*, *'Al-Mukhtār'*, *'Al-Wiqāyah'*, *'Al-Majma`'*, etc. Their task is to abstain from quoting rejected opinions and weak narrations in their books.

7) The category of those Muqallidīn who do not possess the ability of any of the above-mentioned. They cannot distinguish the incorrect from the correct, neither the left from the right. They only gather facts that they come across. They are similar to the person gathering wood during the (darkness of the) night, (as he cannot see what he picks up, whether it is a stick or a snake). Woe unto those who follow them."

Note: Studying the above categories brings to light that the madhāhib were not the work of mere individuals, but the joint effort of numerous experts in their respective fields of expertise. This is precisely what preserved these madhāhib[74].

18. Some people say: Why do you follow a dead man? You should follow someone who is alive. Is this correct?

A: The statement of the illustrious Ŝaĥābi `Abdullah Ibn Mas`ūd ﷺ adequately answers this question raised by an ignoramus in the guise of a scholar of Ĥadīth. The narration is as follows: "None of you should blindly follow anyone in matters of his Dīn, (in a manner that) if he believes, he will also do the same, and if he commits kufr, he follows suit. However, if you have no alternative but to follow someone, then follow those who have passed away, because a living person is not safe from trials."[75]

This means that before death, there is no guarantee that any person or scholar will remain on the straight path until his end. However, it will be safe to follow the teachings of one who has left the world already and it is established that he never deviated up to his last breath.

The world of scholars, through the passage of centuries, testified to the elevated rank of each of the four Imāms without exception. These ignorant "scholars" wish to take the place of those illustrious Imāms, and be followed by the masses. It is for this reason that they raise objections like these. May Allāh Ta`ālā save us and the entire humanity from their evils.

19. Some people are heard saying: I am a Muĥammadi, not a Ĥanafi/Shafi`ī[a]. Is this correct or not? – Why?

A: When a person claims to be a Ĥanafi or Shāfi`ī, all that he intends to say is that he follows the Sunnah of Muĥammad ﷺ in accordance with the understanding that Imām Abu Ĥanīfah (or Imām Shāfi`ī, etc.) had of the Sunnah. He asserts that he does so only because he does not possess the qualifications to extract rulings from the sources of Sharī`ah, hence he follows one of those

[a] One such Muĥaddith who was known to call himself a Muĥammadi whenever the names of the Imāms were mentioned before him, was `Umar Ibn Abi Ĥafŝ, better known as Ibn Shāhīn رحمة الله عليه. About him, `Allāmah Dhahabi quotes in his outstanding work on the biographies of the great scholars of Islām viz. *'Siyar A`lām An-Nubalā'* from Khaṭīb Al-Baghdādi رحمة الله عليه who quotes Muĥammad Ibn `Umar Ad-Dāwūdi رحمة الله عليه saying: "He (i.e. Ibn Shāhīn) did not have any aquaintance with Fiq-h, neither more, nor less. (Moulānā Muĥammad Is-ĥāq added this note. May Allāh Ta`ālā increase him in knowledge and practice.)

Imāms who are unanimously recognized and qualified to perform Ijtihād.

Consider the following dialogue between `Urwah ibnuz-Zubair and `Abdullah Ibn `Abbās ﷛. Imām Aĥmad Ibn Ĥambal and Imām Ţaĥāwi رحمهما الله narrate[76] that once `Urwah ﷛ objected to a mas'alah (ruling) pertaining to Ĥajj that was being taught by Ibn `Abbās ﷛. His objection was that the ruling being taught by Ibn `Abbās ﷛ was contradicting the practice of Abu Bakr and `Umar ﷛. Ibn `Abbās ﷛ exclaimed: "You are going astray in this way! I quote to you the practice of Rasūlullāh ﷺ and you tell me about Abu Bakr ﷛ and `Umar ﷛". `Urwah ﷛ replied: "*Verily Abu Bakr ﷛ and `Umar ﷛ were more knowledgeable about the practice of Rasūlullāh ﷺ than you*." In the book of Ţabarāni, the reply made by `Urwah ﷛ was in the following manner: "*They were more knowledgeable about the book of Allāh and the Sunnah of Rasūlullāh ﷺ than you and I.*"

Shai<u>kh</u> Muĥammad `Awwāmah comments: "This is our answer to those people who invite us to abandon the Fiq-h of the Imāms: Abu Ĥanīfah, Mālik, Ash-Shāfi`ī, and Aĥmad رحمهم الله and instead to follow what *they* call "Fiq-hus-Sunnah wal Kitāb" (the Fiq-h of the Sunnah and the Qur'ān) or "Fiq-hus-Sunnah" (the Fiq-h of the Sunnah), amongst other similar slogans[a]. We say to them: "We are

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[a] Shai<u>kh</u> `Awwāmah writes (in *Atharul Ĥadīth*, page 121): "This only becomes possible for them after they attribute their own "Fiq-h" to the book of Allāh and the Sunnah, and the Fiq-h of Imām Abu Ĥanīfah to Abu Ĥanīfah himself – not to the Qur'ān and the Sunnah, and the Fiq-h of Imām Shāfi`ī to Ash-Shāfi`ī himself and not to the Qur'ān and the Sunnah. In this way they cut off that great and magnanimous Islamic concept which was in reality a true explanation of the Qur'ān and the Sunnah – they sever its link from the Qur'ān and Sunnah; and bring =

not pleased to have *you* as a substitute to them, as they were "more knowledgeable" about Rasūlullāh ﷺ than *you*. In fact, we do not mean to draw a comparison when we say "more knowledgeable", because there exists absolutely no comparison between you and them in knowledge. *And it is our intense desire to cling onto the way of Rasūlullāh ﷺ that drives us to follow their understanding of the pure Sunnah…*

"…and the gist of your statement is that these Imāms were not upon the path and guidance of Rasūlullāh ﷺ. It is for this reason that you desire to follow Rasūlullāh ﷺ in a way other than they did. Thus, it seems that you understand them to be Rabbis and Monks who declare Ĥalāl and Ĥarām for the people, without any evidence from the Book of Allāh and the Sunnah of Rasūlullāh ﷺ; where-as in actual fact they were more adherent to the Sunnah of Rasūlullāh ﷺ than what their lovers could even fathom. They were merely conveying to the people the command and prohibition of Nabi ﷺ, just like the Mu'adh-dhīn (during Ŝalāh in a large congregation) conveys the "Takbīrs" of the Imām to the rows that follow.[77]"

It is for the same reason that the illustrious Muĥaddith and Mujāhid of Islām, Abdullah ibnul Mubārak رحمه الله used to say: "Do not say: (This is) the view of Abu Ĥanīfah, but rather say: It is the explanation of the Ĥadīth.[78]"

Ibn Taimiyyah رحمه الله writes in *Raf`ul Malām*: "Verily, the Imāms who came before the period of the compilation of the Books of

= to the people an ideology, that of which is correct are crumbs from the table-cloth of those (very Fuqahā), and whatever is incorrect is from themselves. Then they attribute it altogether to the book of Allāh and the Sunnah."

Ĥadīth were declared *far more knowledgeable* about the Sunnah than those who followed, because a large amount of (Aĥādīth) that reached them and were declared authentic by them, only reached us later via anonymous narrators, or with broken chains, or did not reach us at all."[79]

20. Why do I have to follow one madh-hab only? May I not follow any of the four Imāms whenever I like? (i.e. could I choose from any madh-hab whichever ruling I desire. This should be correct as you claim that all four madhāhib are correct?)

A: Firstly, it should be noted that the Fuqahā have declared this impermissible for the person who lacks the qualifications of Ijtihād. `Allāmah Yūsuf Ludhyānwi رحمة الله عليه explains this point as follows[80]:

"And the person who has not attained the degree of Ijtihād remains a layman no matter how many books he may have read, and he has no alternative but to refer to the view of a Mujtahid. Hence, if he follows the practices and rulings of one stipulated Imām, *then he is absolved of his Shar`ī responsibility*.

"However, if he picks and chooses from the rulings of any Imām, without subscribing to the view of any one Imām in particular, then the question is: "What is his basis of preference between the rulings of the various Imāms?" If the answer is that the Qur'ān and Ĥadīth are his yardstick, and he gives preference to those rulings which, according to his understanding, conform to the Qur'ān and Ĥadīth, then in reality, he has made *his own understanding* (of the Qur'ān and Ĥadīth) his basis and yardstick.

"We then say: If he truly is an expert in the Qur'ān and Ĥadīth, and his understanding thereof is evidential, then he is not required to make Taqlīd, but he is in reality a Mujtahid Muṭlaq[a]. And if he is not an expert in the Qur'ān and Ĥadīth, and yet he places his trust on his own intellect and understanding, then he is prey to self-conceit, which is destructive for his Dīn."

In fact, the Fuqahā have even gone to the extent of restricting the Muqallid when there are two or more opinions within his own madh-hab. He is not at liberty to practice upon the ruling that conforms to his desire or understanding, as personal desire and understanding have no basis in Sharī`ah. This point has been clearly illustrated by the famous Syrian Faqīh of the thirteenth century of Islām, Ibnul `Ābidīn رحمة الله عليه. He states[81]:

"It is surely incumbent upon anyone desiring to practice himself, or pass a ruling for others (as in the case a Muftī) that he follows the view which the `Ulamā' of his madh-hab have rendered preponderate (i.e. the most correct); and it is not permissible for him to practice or issue a Fatwā in accordance with an opinion that has not been rendered preponderate, except under certain circumstances…"

Moulānā Ashraf `Ali T-hānwi رحمة الله عليه says[82]: "Our Dīn is systemized through Taqlīd, and in abandoning it, we will be de-systemizing our Dīn. If we choose to discard Taqlīd with the intention of practicing upon the most prudent rulings of the four Imāms, then

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[a] Refer to the answer of question no. 17 for details about the various categories of the Fuqahā.

we will be putting ourselves to unnecessary difficulty[a]. And if our objective is ease (by looking for concessions), then we will fall into the traps of self-interest. Therefore, in the Taqlīd (of one Imām only), lies ease and orderliness, together with protection from the desires of our *nafs* (carnal self).

"Further, while this is the wisdom behind the following of one Imām only, this is also the wisdom in understanding the need to specify only one learned `Ālim amongst the contemporary `Ulamā' to follow (in contemporary issues), because self-interests are predominant, and `Ulamā' of the same ma<u>dh</u>-hab may differ in some rulings. If a person does not stipulate one `Ālim to follow, then the same fear exists: that he may fall into the trap of his own desires, in the sense that he adopts whatever suits him of the opinions of any Ālim, and leaves out what does not suit him."

Shāh Waliyyullāh Ad-Dihlawi رحمة الله عليه writes[83]: "Had the restriction of following only one Imām not existed, every person would pick and choose those rulings that conformed to his likings, and Dīn would become a toy (in the hands of the masses). Thus, there was only one solution to such self-interest. That was to restrict the *nafs* (carnal self) to following one expert of Sharī`ah only. This is exactly what "Taqlīd-Sha<u>kh</u>ŝi" (following of one Imām only) is all about."

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[a] Moulānā Yūsuf Ludhyānwi رحمة الله عليه states on page 28 of his book *'I<u>kh</u>tilāfe Ummat Aur Siraate Mustaqeem'*: "It was the practice of some of the great friends of Allāh of the past that they would choose the strictest of the various rulings. For instance, if a particular deed was deemed incumbent by one of the Imāms, and not by the other, they would practice on the ruling of the former. In a similar manner, if a deed was rendered Makrūh by some Imām, and not by the other, they would practice on the former and would hence abstain from that deed. This was the condition of the selected bondsmen of Allāh.

Following of Concessions

When people do not restrict themselves to one madh-hab, then gradually an environment of following the *concessions of the Imāms* will come in existence. In Fiq-h, this is termed "Tatabbu`ur Rukhaŝ". The scholars have rendered severe warnings about this. Imām Baihaqi quotes Imām Al-Owzā`ī رحمها الله تعالى as saying: "The person who adopts all the rarities of the `Ulamā' *leaves (the precincts of) Islām*."[84] Imām `Ali Ibn Al-Ja`d رحمة الله عليه attributes the following statement to the great Sulaimān At-Taimi رحمة الله عليه: "If you practice upon the concessions of every `Ālim, then every evil will be gathered in you."

Ĥāfiź Ibn `Abdil Barr رحمة الله عليه comments on this statement: "There is consensus on this. I am not aware of any opposing view to it."[85] It is reported from two great scholars of Ĥadīth, Imām Yaĥyā Al-Qaţţān and Imām Aĥmad Ibn Ĥambal رحمها الله that such a person is a fāsiq (transgressor)[86]. May Allāh Ta`ālā protect us.

Some examples about the consequences of not remaining restricted to one madh-hab

1. Moulānā Ashraf `Ali T-hānwi رحمة الله عليه says[87]: "…When this has reached the level of egotism within the people, then if they are not going to be restricted by a single madh-hab, their practices will only be based on self-interest. The outcome will then be like that of a man who bled after having performed wuđū. According to the Ĥanafi madh-hab, his Wuđū is nullified, and according the Shāfi`ī madh-hab, it remains intact. Therefore, he decides to follow the madh-hab of Imām Shāfi`ī رحمة الله عليه. Thereafter, he touches his wife, and touching one's wife nullifies wuđū according to the Shāfi`ī madh-hab, and not according to the Ĥanafi madh-hab.

Here he decides to follow the ma<u>dh</u>-hab of Imām Abu Ĥanifah رحمة الله عليه.

"In this instance no Imām regards his wuđū acceptable, neither Imām Abu Ĥanīfah رحمة الله عليه, because blood flowed from his body, nor Imām Shāfi`ī رحمة الله عليه, due to him having touched his wife…. Hence there is no Dīn at all; but, such a man remains a worshiper of his own interests."

2. Allāmah Ibnul `Ābidīn رحمة الله عليه narrates an incident about a Faqīh who proposed for the hand of the daughter of a Muĥaddith in marriage. The Muĥaddith laid a condition that he should practise '*Raf`ul Yadain*' (i.e. lift his hands before and after rukū`), and he should say the Āmīn loudly in Ŝalāh. The Faqīh submitted to those conditions and the Nikāĥ took place.

"The incident was mentioned to a pious person who, upon hearing this, dropped his head. After some time he raised it and remarked: "I have a fear that the Īmān of this man may leave him, due to the fact that he abandoned an act which he practised on the basis of it being Sunnah, and substituted it with a contradictory deed without any Shar`ī reason, but for a worldly motive."

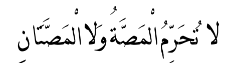
3. Moulānā Ashraf `Ali T-hānwi[88] رحمة الله عليه narrates another incident from his personal experience. He writes:

"There is a village near our area, wherein a particular man married a certain woman. Later it was learnt that both of them were breastfed by the same woman, (thus being foster brother and sister). A person came to enquire from me what was to be done about the matter. I explained to him that this marriage is not correct, and that they should be separated. He remarked: "This is

going to be a source of immense disgrace. Please find a way for its permissibility?" I said to him: "Firstly! There is no disgrace in separation. Rather, in living together, there will be immense disgrace, because people will say that you have united a brother and sister (in marriage). Secondly, even if there is disgrace, then let it be. When this is the command of the Sharī`ah, then there is no question of disgrace." The man began to say: But he drank it, and then vomited it out. So I told him: Whether he vomited it out or not, the law does not change."

"After receiving a clear answer from me, they proceeded to Delhi. There they found a man who (claims to) practise on Ĥadīth (only, without following a madh-hab). It is not my object right now to discuss him; however I do wish to explain their worship of personal-interests. To achieve their aim, they went to this person to see if it could be fulfilled. He said, "If he has consumed less than five sips, she does not become impermissible for him (to marry)."

They immediately wrote out a questionnaire stating that a man drank two sips of milk from a woman during infancy. Does she become his foster mother? The answer was written with the Ĥadīth:



"*One or two sips do not create prohibition.*"

The man became very happy and proceeded to the husband and wife and handed the Fatwā over to them saying: "This after all is also an `Ālim's Fatwā. If we practise on it, what harm will there be."

Today, this is the kind of self-interest that is found in people. What concern was there about how many sips he had drunk? And if, hypothetically speaking, they had been aware of the number of sips that were drunk by the child, then *on what basis* did they take the fatwā of the one who granted permissibility, and discard the fatwā of the one who passed a ruling of impermissibility – in spite of the fact that the latter was of the very madh-hab of the person in question?"

21. If a man claims to be following the Fiq-h of Imām Bukhari, will he not be on the straight path?

A: Before we commence with the answer to this question, it should be known that the scholars have differed with regards to the Fiq-h of many of the famous Muĥaddithīn, and more specifically with regards to Imām Bukhāri and Imām Muslim رحمهما الله. Whilst some Shāfi`ī رحمة الله عليه scholars list them amongst the Shāfi`īs, apparently they were Mujtahidīn, who performed Ijtihād within the framework of the madhāhib of the Imāms[a]. This kind of Ijtihād is Ijtihād of the second category[b]. Some contend that they may

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[a] Moulānā Sarfarź, on page 129 of *'Al-Kalām Al-Mufīd'*, quotes `Allāmah Subki رحمة الله عليه as stating in *'Ţabaqāt Ash-Shāfi`iyyah'* vol. 2 pg 83, about Imām Abu Dāwūd رحمة الله عليه: "Our Shaikh, Imām Dhahabi رحمة الله عليه used to say: Imām Abu Dāwūd learnt Fiq-h from Imām Aĥmad Ibn Ĥambal, and remained with him for a period of time." Moulānā Sarfarāz also quotes with reference to its original sources, that Imām Ibnul Qaiyyim, `Allāmah Ismā-îl Bāshā Baghdādi, and Ĥāfiź Ibn Taimiyyah رحمهم الله have mentioned that Imām Abu Dāwūd was a Ĥambali.

[b] Refer to the answer of question no. 17 for details about the various categories of the Fuqahā.

have even been qualified to be of the first category of Ijtihād like رحمة الله عليه that of the four Imāms.

`Allāmah Yūsuf Al-Bannūri رحمة الله عليه says: "I said in the past, and say again: "These illustrious Imāms, the compilers of the "Siĥāĥ" (Books of authentic Aĥādīth), such as the Imāms: Bukhāri, Muslim and others –had specific inclinations within the intricacies of Fiq-h, Ijtihād and other complex masā-il, either on the basis of Fiq-h and Ijtihād or because of following their respective Imāms. In this way they selected one view in issues wherein the Fuqahā differed. Thereafter, when they compiled (their respective books of Ĥadīth), they gathered in it whatever conformed to their own madhāhib of Fiq-h; whereby (the effect of) their Fiq-h extended to Ĥadīth; and they omitted the rest that did not conform to their practice. (This applies to all the compilers) except those who took upon themselves the task of presenting the Aĥādith that conformed to the practices of both views, such as Imām Tirmidhi in most instances, Ibn Abi Shaibah and Imām `Abdurrazzāq in their *Muŝannafs*, Imām Aĥmad in his *Musnad*, and others…" "[89]

Thus, the selection of Aĥādīth generally made by a Muĥaddith in chapters pertaining to the laws of Sharī`ah (which are minimal in comparison to the major part of their books), were those that conformed to his madh-hab of Fiq-h. Therefore, it will be correct to say that *the Aĥādīth mentioned in his book conformed to his practice,* while it will be equally *incorrect* to say that these Aĥādīth – as presented by the Muĥaddith without any further details – constitute the *basis* of his practice.

After having insight into the above, we return to the question under discussion, the gist of which is: *Can I make Taqlīd of Imām Bukhāri (or any of the illustrious compilers of the books of Ĥadīth)*? (We

discuss this question under the assumption that they were Mujtahidīn of the first degree).

The answer is in the negative for the following reasons:

Firstly, amongst the conditions for making Taqlīd of a particular Imām, is that:
a) his entire madh-hab must have been compiled and available,
b) his principles of extracting laws from the original sources of Sharī`ah (Uŝūlul-Fiq-h) must also be available,
c) he should have left behind someone, who had studied "Fiq-h" at his hands and understood his complete concept of extracting *Masā-il* from the Shar`ī sources, etc.

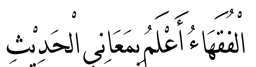
None of the above-mentioned conditions are found with these illustrious scholars of Ĥadīth. How would it ever be possible for any one of these conditions to be found when these illustrious Muĥaddithīn specialized and spent their entire lives in the field of "*protecting the Aĥādīth (i.e. the words thereof) of our beloved Rasūlullāh* ﷺ" (known as the science of Ĥadīth), and not in the field of extracting masā-il (laws) there-from (known as the science of Fiq-h). They were known by their students and by all the scholars that followed, as Muĥaddithīn and not as Fuqahā[a]. (Please refer to

[a] Moulānā Sarfarāz حفظه الله writes on pg 128 of '*Al-Kalām Al-Mufīd*': "Hađrat Imām Tirmiźi رحمه الله regularly quotes his Ustādh Amîrul Mu'minîn Fil Ĥadīth (Imām Bukhāri رحمه الله) in matters pertaining to the authenticity and unauthenticity of *Ĥadīth* and narrators; but he never quotes him regarding *Fiq-hi* matters (inspite of the fact that he mentions the different views of the *Fuqahā* in the various chapters of *Ĥadīth*). Instead, he quotes statements of other Fuqahā who are of a lesser category than that of the *Mujtahidîn* (- Imāms of the four Madhāhib). This is a clear proof and sign that Imām Bukhāri and Abu Dāwūd =

question no. 16 to understand the difference between a Muĥaddith and a Faqīh).

Secondly, only a fraction of the Aĥādīth mentioned in their books pertain to "*Aĥkām*" (*laws*). Most of them relate to other subjects that are generally dealt with in the books of Ĥadīth (such as history, the signs of Qiyāmah, the lifestyle and noble conduct of Rasūlullāh ﷺ, virtues of various deeds, warnings and punishments for bad deeds, etc). If we compare this to the innumerable *laws* that were extracted by the Fuqahā, it becomes clear that each fraternity served the cause of `Ilm in their respective fields of expertise, and each of them is an authority within his own field only.

Finally, Shaikh Muĥammad `Awwāmah states: "Thus to make Taqlīd and to follow them (the scholars of Ĥadīth) in their Fiq-h is not preferred to the Taqlīd of the Fuqahā: Abu Ĥanifah, Mālik, Ash-Shāfi`ī, and Aĥmad. Instead the Taqlīd of these (scholars of Fiq-h) is preferred to the Taqlīd of those (Muĥaddithīn). And we have previously mentioned the statement of Imām Tirmidhi, a great Muĥaddith himself and the compiler of one of the canonical collections, who said:



The Fuqahā are more knowledgeable about the meanings of Ĥadīth.

= were not of the *Mujtahidîn Muṭlaq* (the first category of *Mujtahidîn*); but were rather *Mujtahid Muntasib* (refer to Question 17 for details). No one rejects the fact that they were *Fuqahā* as well. It is a well-known statement amongst the `Ulamā' that: 'Imām Bukhāri's Fiq-h is to be found in his headings and subheadings …"

This is a clear matter in which there lies no obscurity." It thus becomes clear that the claim of following the Fiq-h of Imām Bukhāri رحمة الله عليه is based on ignorance.

22. It is commonly stated that the most authentic book after the book of Allāh Ta`ālā is the Ŝaĥīĥ of Imām Bukhari رحمة الله عليه? Thus, based on this, are the Aĥādīth found in it not preferred over the Aĥādīth mentioned in the other books of Ĥadīth?

A: This point is discussed in the books of "Uŝūl" under the principle of 'Mukhtaliful Ĥadīth' (مختلف الحديث) – which deals with the apparent contradictions found in Ĥadīth[a]. Although, to an expert, no contradiction in Ĥadīth really exists, as Ibn Khuzaimah رحمة الله عليه used to say[90]: "I find no contradiction between any two Aĥādīth, so the one who finds any contradiction should come to me so that I can explain its purport…"

Imām Suyūṭi رحمة الله عليه writes[91]: "Only those people are fully qualified for this task, who have acquired a comprehensive understanding of the various sciences of Ĥadīth and Fiq-h, and are experts in "Uŝūl[b]", and penetrate into the depth of the meanings…. Thus he who masters the above-mentioned will not find any difficulty in it, except rarely."

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[a] The reason is that the question of giving preference or preponderance to one Ĥadīth over another only rises when a contradiction is found between the two (or more) Aĥādîth.

[b] i.e. the principles governing the two fields – viz. *Ĥadīth* and *Fiq-h* – which are divided and sub-divided into various branches that cover volumes.

Various scholars have compiled volumes on the subject of 'Mukhtaliful Ĥadīth' alone. Amongst them are: Imām Shafi`ī, Ibn Qutaibah, Ibn Jarīr, Ṭaĥāwi[a], and Ibn Khuzaimah رحمهم الله. The following is a brief idea of the principles relating to the subject of 'Mukhtaliful Ĥadīth':

When two or more Aĥādīth apparently seem to contradict one another, then an attempt should *first* be made to explain each Ĥadīth in a manner that does not contradict the other in any way. If this is not possible, *then* the matter will be researched, to find out whether one of the two or more Aĥādīth pertained to the former times, while the other/s related to a ruling that was revealed in latter times. In other words, the latter abrogated the former. The abrogating Ĥadīth will then be termed as 'Nāsikh' (ناسخ) and the former as 'Mansūkh' (منسوخ). **Finally**, if this is also not found, then the *last resort*[b] is to render one Ĥadīth *preponderant* (i.e. preferred) over the other. This is termed as 'Tarjīĥ' (الترجيح).

Hereunder, a brief outline of the stages and principles governing 'Tarjīĥ' (الترجيح) is given:

The **first stage** is to render 'preponderance' on the basis of the condition of the narrators. Here, a Ĥadīth will be rendered 'preponderant' for any one of the following reasons:

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[a] Imām Ṭaĥāwi' رحمه الله compiled two outstanding books on the subject, viz. 1) شرح معاني الآثار , and 2) مشكل الآثار . The latter has been recently published with the footnotes of Shaikh Shu`aib Arnā-ooṭ over sixteen volumes.

[b] And as mentioned above by `Allāmah Ŝuyūṭi رحمه الله, this stage is rarely reached by an expert of the relevant fields.

- It has a greater number of narrators in each link of its chain,
- Its chain of narration is shorter,
- Its narrator/s are of a higher category in Fiq-h,
- Its narrator/s have deeper knowledge of Arabic grammar,
- Its narrator/s have greater expertise in the Arabic language,
- Its narrator/s are known to possess stronger memories,
- Its narrator/s have a better reputation in precisely narrating the words of the Aĥādīth,
- Its narrator/s enjoy a higher status amongst the scholars,
- On the basis of any other matter relating to higher levels of Taqwa, etc, in the narrator/s,
- On the basis of greater levels of his/their honesty, and so on.

  In short, there are *forty* issues which require deliberation relating to this stage (i.e the condition of narrators).

"The **second stage** is to render 'preponderance' considering the condition in which the Ĥadīth was received by the narrator/s. There are various ways to distinguish this. Basically, *three* issues are discussed here.

"The **third stage** relates to the mode of narration. Here, *ten* issues require deliberation.

"The **fourth stage** pertains to the time when the Ĥadīth was uttered by Rasūlullāh ﷺ, etc. *Six* matters are due for deliberation at this level.

"The **fifth stage** concerns the wording of the narration. In this stage *thirty-five* elaborate issues are dealt with.

"The **sixth stage** relates to the law that is derived from the Ĥadīth.

"When 'preponderance' cannot be determined on any basis relating to the above six stages (that have more than a hundred divisions in total), then consideration will finally be given to some external matter, such as: one of the two Aĥādīth conforms to the practice of a certain Ŝaĥābi, or a third Ĥadīth corroborates its purport, or it was narrated by Imām Bukhāri and Imām Muslim رحمهما الله [92]."[a]

From the above, it is clear that, when a contradiction (apparently) occurs between any two Aĥādīth, then it is not sufficient to merely say that this Ĥadīth was narrated by Imām Bukhari رحمة الله عليه, and so on.

This matter has been further explained by Shaikhul Ĥadīth Moulānā Fađlurraĥmān A`źami حفظه الله ورعاه in the following words[93], while drawing his content from the writings of Ĥāfiź Ibn Ĥajar and Moulānā Shabbīr Aĥmad `Uthmāni رحمهما الله. He says:

"It should be noted that 'Ŝaĥīĥ Bukhāri being the most authentic book' does not imply that every Ĥadīth of Ŝaĥīĥ Bukhāri will be given preference over every Ĥadīth of 'Ŝaĥīĥ Muslim' (or any other compilation for that matter), as this statement is made with reference to the book as a whole. This has been clearly stated by `Allāmah Zarkashi and other researchers.

[a] Moulānā Muĥammad Ibn Hārūn added here: "Al-`Irāqi mentioned upto 110/111 bases for *tarjih*. This one (viz. that the Ĥadīth is narrated by Imāms Bukhari and Muslim رحمة الله عليه) was sequenced at number 102. Similarly, in *Al-I`tibār*, Al-Ĥāzimi mentioned fifty principles for *Tarjīĥ* (preponderating), and he did not include 'the Ĥadīth being narrated in 'Ŝahīĥ Bukhāri' and 'Ŝaĥîĥ Muslim' as a basis for *Tarjīĥ.* Shaikh `Awwāmah stated this." (See: *Atharul Ĥadīth* pg 132 – 134.)

In a similar manner, the supremacy of 'Ŝaĥīĥain' i.e. 'Ŝaĥīĥ Bukhāri' and 'Ŝaĥīĥ Muslim', over the other books of Ĥadīth also implies this much only that these two books as a whole are superior in authenticity to any other book of Ĥadīth as a whole. Therefore, it is possible that a particular Ĥadīth that occurs in 'Ŝaĥīĥ Muslim' and is reported from a range of chains, possesses greater virtue in authenticity over a Ĥadīth of 'Ŝaĥīĥ Bukhāri'. In a similar way, a Ĥadīth that occurs in another book of Ĥadīth that possesses a most authentic chain of narration will be regarded more authentic than a Ĥadīth of 'Bukhāri' or 'Muslim', especially when the Ĥadīth mentioned in one of the 'Ŝaĥīĥain' contains a narrator (in its chain) regarding whom there may be some contention."

Ibn Kathīr ﷫ says[94] that the *'Musnad'* of Imām Aĥmad ﷫ contains many (Aĥādīth with) chains of narration and texts that are equal (in authenticity) to the Aĥādīth of 'Ŝaĥīĥ Muslim', and even 'Ŝaĥīĥ Bukhāri'[a]. These Aĥādīth are not to be found in the

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[a] A colleague and close friend of mine – for whom I have utmost regard for the vast and in-depth knowledge that Allāh Ta`ālā has opened to him in the field of Ĥadīth – Moulānā Muĥammad Is-ĥāq, whilst revising this brief treatise, wrote a valuable comment in Arabic in the margin of the above text. The English translation is as follows: "And an example of this is the '*Ŝaĥīfah*' (booklet) of Hammām Ibn Munabbih that he narrates directly from Abu Hurairah ﵁. Imām Aĥmad ﷫ has narrated it in his Musnad in full at the beginning of the *musnad* of Abu Hurairah ﵁ via the chain of Imām `Abdurrazzāq (whilst Imām `Abdurrazzāq ﷫ himself narrated it in his 'Musannaf' as well). Imām Bukhāri and Muslim have narrated some of its Aĥādîth, so contemplate. Refer to what Shaikh Aĥmad Muĥammad Shākir has written in his exegesis (and annotation) of the 'Musnad' of Imām Aĥmad ﷫."

Beneath I reproduce a portion of what Shaikh Aĥmad Muĥammad Shākir writes in this regard: "…And this *Ŝaĥīfah* is amongst the =

'Ŝaĥīĥain' or in the four *Sunan* (*Nasa-ī, Tirmidhi, Abu Dāwūd*, and *Ibn Mājah*). `Allāmah `Abdurrashīd Nu`māni mentions[95] about *'Sunan Ibn Mājah'*, that it contains many Aĥādīth that are more authentic than even the Aĥādīth of *'Ŝaĥīĥ Bukhāri'*".

Moreover, it is highly erroneous to obligate the `Ulamā' and Mujtahidīn that preceded Imām Bukhāri رحمة الله عليه to subscribe to the Aĥādīth recorded by Imām Bukhāri in his *Ŝaĥīĥ*. Moulānā

= strongest proofs about the fact that *Shaikhain*, i.e. Imāms Bukhāri and Muslim رحمهما الله had not narrated (in their books) all the authentic *Aĥādîth* and neither did they take that responsibility, as they never claimed to do that. This is a delusion and inference made by some scholars in their endeavour to explain the high status of the *'Ŝaĥīĥain'* (i.e. *'Ŝaĥīĥ Bukhāri'* and *'Ŝaĥîĥ Muslim'*), the virtue enjoyed by their authors, their analogy, and so on. Yes, the *'Ŝaĥīĥain'* are worthy of every form of admiration, and are surely evidential. Their authors are also worthy of every virtue and praise, and the entire Ummah accords the highest status to their analogies and authentications.

"However, this does not mean that other works of Ĥadīth do not contain Aĥādīth as authentic as those found within their books. Rather, such authentic narrations are in abundance, wherever the stringent conditions of authenticity are found.

"So here we have the "*Ŝaĥīfah of Hammām Ibn Munabbih*". Both Shaikhain (i.e. Imāms Bukhāri and Muslim) have commonly narrated some of its Aĥādīth, whilst Imām Bukhāri alone narrated some, and Imām Muslim narrated others. At the same time, both of them have left out the rest of its Aĥādīth, as you will find from the marginal references of their books in-shā-Allāh. In fact, we also learn from this that those Aĥâdîth that Imāms Bukhāri and Muslim had unanimously narrated, are not necessarily more authentic than those narrated by one of them only, or those that neither of them have narrated. The criterion is the presence of all the conditions of authenticity or its highest standards. This pertains to every Ĥadīth, whether they (i.e. Imāms Bukhari and Muslim) have narrated it or not…"

Fađlurraĥman explains this point with the following quotations: "Ibn Amīril-Ĥājj says[96]: "It should be known that '*the fact that 'Ŝaĥīĥain' (i.e .'Ŝaĥīĥ Bukhāri' and 'Ŝaĥīĥ Muslim') are the most authentic collections*' applies to those who came after their compilations were formed. As for those Mujtahidīn who preceded them, it does not apply to them. In spite of the obvious nature of this point, some people still become unmindful of it, and others remain in error."

"`Allāmah Kowthari comments on this with the following words: "Shaikhain (i.e. Imām Bukhāri and Imām Muslim) and their contemporaries amongst the compilers of the Sunan (a category of Ĥadīth books) came after the compilation of Fiq-h (Islamic jurisprudence), and they paid attention to a specific class of Ĥadīth.

"The Mujtahidīn that preceded them certainly had more (Ĥadīth) material than them. Together with '*Marfū`* Aĥādīth', they even had a large collection of '*Mowqūf*' and '*Mursal*' Aĥādīth, and the Fatāwā of the Ŝaĥābah and Tābi`īn. Their gazes were not directed towards one category of Ĥadīth only. Have a look at those '*Muŝannafāt*' and '*Jāmi`āt*' that were compiled by their students and their students' students.

"Besides, for them to scrutinize the chains of narration was much easier due to the shortness of their chains of narration. This point is understood even better when attention is drawn to the accepted fact that when a Ĥadīth is used by any of them to deduce a law (of Sharī`ah), then it is his authentication of that Ĥadīth."

23. Please give a few examples to illustrate how I may be misled if I read the books of Ĥadīth by myself without acquiring its preliminary knowledge?

A: The following are a few examples of how one can be misled:

1. Imām Abu Manŝūr Ibn Muĥammad Al-Faqīh رحمه الله says[97]: "I was once in `Adan, a city of Yemen. A villager appeared in our presence and began a discussion with us. During the course of his talk, he mentioned that whenever Rasūlullāh ﷺ performed Ŝalāh (in an open area) *he placed a standing goat before him*:

نَصَبَ بَيْنَ يَدَيْهِ شَاةً

I refuted his statement; upon which he produced a (hand-written) book in which was recorded:

نَصَبَ بين يديه عَنَزَةً

He (Rasūlullāh ﷺ) placed before himself an '`Anazah' (a certain kind of staff).

(The purpose for that was to facilitate for a passer-by to pass in front of him without sinning). This person was confused between عنَزة and عنْزة (-the first with a *fat-ĥa* on the *Nūn*, and the second with a *Sukūn*). The first refers to a certain type of staff, and the other means a goat. This narration is in Bukhāri 1/71 (Ĥadīth 501)."

In the above example, even an Arabic-speaking person was misled.

2. Moulānā Sarfarāz حفظه الله writes[98]: "It is mentioned in Ŝaĥīĥ Bukhāri (1/30,43) that `Uthmān رضي الله عنه and other Ŝaĥābah رضي الله عنهم report

from Rasūlullāh ﷺ that the person who has intercourse with his wife and does not ejaculate, has only to perform Wuđu and not ghusl. If a person acts upon this Ĥadīth, then it can only be termed as deviance, as this law was *abrogated*.

This is an example of being misled by following a Ĥadīth that contains an abrogated law. This is very common, and many people are misled in this way.

3. Moulānā Sarfarāz حفظه الله also writes: "In another narration of *Ŝaĥīĥ Bukhari* 1/25 (Ĥadīth 177) and *Sunan Tirmidhi*[99] 1/11 (Ĥadīth 75), etc. it is reported that: "When any one of you are in the masjid, and senses wind between his buttocks, then he should not leave (to perform Wuđu') until he perceives a smell or hears a sound." Now, if a person performing Ŝalāh passes wind, but due to not hearing any sound or finding any smell, continues with his Ŝalāh (because of having read this Ĥadīth), then what sort of piety is this?"

By reading a Ĥadīth of this sort, without studying its explanation as given by the Fuqahā, one may be awfully misled. The translations of the books of Ĥadīth are altogether void of explanations. Those who have studied Ĥadīth under *authorized scholars* are well aware of the danger of reading these books without guidance.

4. Moulānā Sarfarāz حفظه الله continues: "These incidents are daily occurrences. I have a very sincere friend who told me about his daughter-in-law who claims to be from the 'followers of Hadīth'. She maintains, and is persistent, that the Ĥadīth only obligates one to throw three hands full of water over the head for ghusl from janâbah (when a bath becomes obligatory). She claims that

ṭahārah (purity) can be attained in this way, and that there is no need to pour water over the whole body. She insists: "I have read this Ĥadīth in Bukhāri." This became a cause of such tension in her home that it eventually ended in ṭalāq (divorce). As for the narration, it is mentioned in Bukhāri 1/39 (Ĥadīth 254), etc. that Rasūlullāh ﷺ said:

أَمَّا أَنَا فَأُفِيْضُ عَلَى رَأْسِيْ ثَلاثًا، وَأَشَارَ بِيَدَيْهِ كِلْتَيْهِمَا

"As for me, I pour water over my head thrice,"

and he ﷺ indicated with both his hands. However, a more detailed narration contains the following words thereafter:

ثُمَّ يُفِيْضُ عَلَى سَائِرِ جَسَدِهِ

… then he pours water over the rest of his body.[100]

The above is a typical example of a very common occurrence. It is a known fact that Imām Bukhāri رحمة الله عليه habitually "cuts-up" Aĥādīth, and mentions only the portion of the Ĥadīth that is pertinent to his heading[a]. Now you may well consider the condition of the person who studies this compilation on his own. He is certainly bound to draw conclusions, without having the other portions of the Aĥādīth at hand!!

5. I had a personal encounter. An "intellectual" in our community began studying the translation of the Noble Qur'ān and *Ŝaĥīĥ Bukhāri* on his own. This obviously led him to some of his own conclusions. The following are two of his conclusions:

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[a] And it is also a well-known fact that many of his headings have a very fine link with the Ĥadīth quoted under its heading. Independent books have been written on this subject as well.

► *Nūĥ ﷺ was Allāh's first messenger. Thus Ādam ﷺ was not a Prophet*. This he based on a Ĥadīth stating that Ādam ﷺ will say to the people on the day of Qiyāmah: "Go to Nūĥ ﷺ for he was the first Rasūl of Allāh, sent to the inhabitants of the earth." In another narration, it is mentioned that the people will say to Nūĥ ﷺ: "You are the first of Allāh's messengers to the people of the earth."

The scholars of Islam, past and present are unanimous about the fact that Ādam ﷺ was a Nabi. This is based on indisputable evidences from the Qur'ān, Sunnah and Ijmā. As for these Aĥādīth, both contain the clause: "to the inhabitants/people of the earth". Ādam ﷺ, although being a Nabi, was certainly not sent to the people of the earth, as there was no one living on earth at that time. Secondly, Shīth ﷺ was also a prophet before Nūĥ ﷺ. This Ĥadīth contains the word Rasūl, meaning that Nūĥ ﷺ was the first "*Rasūl*" of Allāh "*sent to the people of the earth*". Shīth ﷺ was certainly not a Rasūl. He was only a Nabi. These are two ranks of Prophethood[a].

This man, through his 'intellectual ignorance', adopted the above-mentioned belief, which took him right out of the precincts of Islām without realizing it in the least bit. May Allāh Ta`ālā make this a lesson for us all.

► *Equality of the Prophets. Thus Rasūlullāh ﷺ was not the most superior among the Prophets.* This was the second conclusion that he arrived at. Here also, he adopted a belief that contradicted verses

[a] There is a difference between a Rasūl and a Nabi. This much will suffice here, that every Rasūl is a Nabi as well, but every Nabi is not necessarily a Rasūl. And a Rasūl's rank is higher than that of a Nabi.

of the Qur'ān, numerous Aĥādīth, and the consensus of the Ŝaĥābah ﷺ. May Allāh Ta`ālā save us all.

Incidents of this sort are many, and are recorded in the works of the `Ulamā'. Shaikh `Abdul Fattāĥ Abu Ghuddah رحمة الله عليه says: "Ibnul Jowzi رحمة الله عليه mentioned in the eleventh chapter of his book *'Akhbār Al-Ĥumqā wal Mughaffalīn'* a substantial number of Fatāwā (verdicts) of some of the great Muĥaddithīn, who entered into "Dirāyah" (– another name for Fiq-h) without being qualified for it. Some laughable Fatāwā are narrated from them.[a]" [101]

The following are two of the many accounts, recorded by Imâm Kowthari رحمة الله عليه: [102]

1. A Muĥaddith was noticed performing Ŝalātul Witr whenever he used pebbles for istinjā' (cleaning himself after urinating). When asked about it he quoted the Ĥadīth:

مَنِ اسْتَجْمَرَ فَلْيُوْتِرْ

He who uses pebbles for istinjā' should do so in an odd number

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[a] Moulānā Muĥammad Isĥāq حفظه الله, whilst revising this book, added: "`Allāmah Al-Baghdādi رحمة الله عليه gathered many such incidents beneath a similar heading in his book 'Al-*Faqīh wal Mutafaqqih*'." Moulānā Muĥammad Ibn Hārūn حفظه الله wrote to me: "Al-Kowthari also mentioned several examples in the beginning of *'Ta'nībul Khatīb*'. Also, Ibnul Jawzi in '*Talbīs Iblīs*' has given a stern warning regarding this…Even Al Khaṭīb al Baghdādi's book: '*Naŝīĥatu ahlil Ĥadīth*' has much information. Infact, this was the reason for him writing the '*naŝîĥah*' (advice). What about the books: '*Taŝ-ĥīfātul Muĥaddithīn*' by Al-'Askari, '*Islaĥu Ghalaṭil Muĥaddithīn*' by Al-Khaṭṭābi, and '*Aṭ-Ṭatrīf fi Tas-ĥīf* 'by as-Suyūti".

Since the same verb is used for Ŝalātul Witr, which is used for 'doing something in an odd number', the Muĥaddith took the wrong meaning of the Ĥadīth.

2. Another Muĥaddith concluded from the following Ĥadīth that it was forbidden to water his neighbours' gardens:

لاَيَحِلُّ لامْرِئٍ يُؤمِنُ باللهِ واليَومِ الآخِرِ أَنْ يَسْقِيَ مَاءَهُ زَرْعَ غَيرِهِ

It is not permitted for one who believes in Allâh and the last day to irrigate someone else's crop with his own water

The Ĥadīth actually implies that, if someone receives a pregnant captive woman in booty, then he is prohibited from copulating with her until she gives birth.

24. Are there any other harms of not following a madh-hab? Does it lead to any other forms of corruption? Please explain.

A: The harms that come about from not following a madh-hab are innumerable, as they affect and encompass masâ'il (laws) pertaining to almost every branch of Dīn. However, the more salient ones may be summarized as follows:

a) Discrediting the scholars that passed from the time of the Tābi`īn until the present age

An example of this is the open declaration by 'Shaikh Suĥaymi', who is a well-known scholar among those who reject taqlīd, that Imām Nawawi رحمة الله عليه was a 'fāsiq'. Imām Nawawi رحمة الله عليه is considered to be among the greatest Shāfi`ī scholars and an authority in the fields of Fiq-h and Ĥadīth. He was a prolific author in the said fields. His status is acknowledged by the entire ummah ever since

his era. Suĥaymi's basis is that Imām Nawawi's رحمة الله عليه beliefs were not in conformance to his. This he stated during a discourse of his in Al-Masjidun-Nabawi, and during one of his visits to South Africa as well.

This is only one example amongst many others. How many illustrious `Ulamā were even declared Kāfir by some of their scholars! A graduate of the Islamic University of Madīnah Munawwarah wrote to me thus: "A certain Tamīmi from Madīnah made remarks that induced students to declare *Imām Ghazâli* a Kāfir."

Consider the above, and relate it to the statement made by Abdullah ibnul-Mubārak رحمة الله عليه, which he made to a huge mass of people: "Abandon the Ĥadīth of `Amr Ibn Thābit, because he blasphemes the earlier scholars.[103]"

In fact, their level of disloyalty towards the `*Ulamā*' of the past has reached such extremes, that they now distort the books of prior scholars and publish them with these distortions. The following is an example:

Shaikh Muĥammad `Awwāmah writes:

"Yes, part of disloyalty and deceitfulness is the altering of the texts of `*Ulamā* and distorting them. This occurs with some of the dissenters (from the truth). The most recent of whom I am aware to have fallen into this abyss is Professor `Abdul Qādir Arnā-ūṭ, may Allāh forgive him and return him to the truth. This occurred in his last edition (1409 A.H) of the book, 'Al-Adhkār' of Imām Nawawi.

"Imām Nawawi ﷬ states at the end of the chapter on Ĥajj: *Heading: Visiting the grave of Rasūlullāh ﷺ, and relevant du`ās.* Imām Nawawi then elaborated on the above heading, and frequently mentioned the words '*visiting the grave*'. He also narrated the incident of `Utbiy. The above-mentioned professor altered the heading to: *Visiting the masjid of Rasūlullāh ﷺ*, and he also changed every other statement beneath the heading that did not conform to the altered heading. He obliterated the incident of `Utbiy as well.

"The evil of this man's deed should be realized. Two points are worthy of note:

"Firstly, he has been fraudulent with a book that has been unanimously accepted in every region and academic circle. There may rarely be a home or library that is deprived of this book. It is not a rare book, or a book that is hard to come by, which he chose to distort.

"Secondly, he had previously published the book unaltered in 1391 A.H. with Mallāĥ Printers of Damascus. Now, it suddenly appears (in the latest edition) with this alteration. In this way, he has disgraced himself by his own actions. We seek Allāh's protection from that and its like.[a]"[104]

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[a] **Note**: I recorded the above quotation of Shaikh `Awwāmah in the first edition of my book. Then a colleague of mine, Moulānā Husain Kadodia, sent to me a copy of Shaikh Abdul Qādir Arnā-ūt's foreword in a later edition of '*Al-Adhkār*'. In it he explains who exactly was responsible for those changes. He says: "…This book which is before you, viz. '*Al-Adhkār*' by Imām Nawawi, was published with my marginal notes at Mallāĥ Publishers in Damascus in 1391 A.H, corresponding with the year 1971 A.D. Then I reviewed my research on the book, and (this time) the =

From the above we can clearly gauge how these rejecters of Taqlīd tamper with classical works. In fact, there remains no trust in literature printed by them anymore.

Allāmah Kowthari ﵀ says that he had compared the printed version of the prominent Tafsīr 'Rūĥul Ma`āni' with the manuscript in the 'Rāghib Bāshā Library' in Istanbul. This was the

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= administrator of Dārul Hudā (Publishers) in Riyaad, Aĥmad Naĥĥās took responsibility of publishing it. He forwarded it to the 'Commission for Matters Relating to Quranic Scripts and Sensoring of Publications' that was under the '(Department of) Academic Research, Fatwa, Da`wah, and Guidance' in Riyaad. … One of the professors read the book and made changes in it, in the Chapter on Visiting the Grave of Rasūlullāh ﷺ … Those responsible for this distortion were the *Commission for Sensoring of Publications*."

Shaikh Nuh Ha Mim Keller comments: "This should not surprise Westerners, who have had before them Muĥammad Muĥsin Khan's translation of Ŝaĥīĥ Bukhāri for some years now… Another example is found in the commentary of the famous Maliki scholar Aĥmad Ŝāwi (d. 1241/1825) on the Qur'ânic exegesis Tafsīrul Jalālain… which was reproduced by offset by Dar Iĥyā-ut-Turāth Al `Arabi in Beirut in the 1970s. By the 1980s … had generated enough of a market to tempt Darul Fikr in Beirut to offset the same old printing, but with a surreptitious change. In the third volume, part of the bottom line of page 307 and the top line of 308 have been whited out… The deletion was virtually indistinguishable from an ordinary spacing mistake, coming as it does at the ends of the two pages, though Dar al- Fikr made up for any technical shortcomings in this respect in 1993 with a newly typeset four-volume version of Hashiya al-Sawi 'ala al-Jalalayn, which its title page declares to be 'a new and corrected (munaqqaha) printing'. The above passage appears on page 379 of the third volume with the same wording as the previous coverup, but this time in a continuous text, so no one would ever guess that Sawi's words had been removed…"

manuscript that was given as a gift by the author himself to Sulṭān `Abdul Majīd Khān. Allāmah Kowthari found that the printed version had been tampered with.[105]

b) The spread of the study of Ĥadīth without the guidance of a qualified teacher

This leads to distortions within the Aĥādīth of Rasūlullāh ﷺ. The Muĥaddithīn sacrificed their entire lives for the preservation of every word of the Aĥādīth, and standardized the principles thereof. One of the most important among those principles is تلقي (*talaqqī*) which means: to receive the wording as well as its explanation from a qualified scholar, who received his knowledge through an authentic chain which links up to Rasūlullāh ﷺ. About the importance of *talaqqi*, and what harm is caused by its absence when studying Ĥadīth, Shaikh Muĥammad `Awwāmah relates the following incident. He writes:

"This precision (in the wording of Rasūlullāh ﷺ) may only be acquired from the narrations of the scholars, or from their notifications regarding the differences of the narrators in their narrations. This is based on (oral) transmission and learning. It cannot be verified by printing accuracy. This is a clear matter about which no student of 'Ilm needs to be instructed.

"However, I was driven to write a special note on this by the following incident, which causes laughter as well as tears, narrated to me by our illustrious Shaikh, the `Allāmah of Ĥimŝ, who was one of his kind, the Shaikh of the Qurrā, and the custodian of fatwā in Ĥimŝ, the pious Muqri, Mufassir, and Faqīh, Shaikh `Abdul `Azīz `Uyūn As-Sūd رحمة الله عليه, who passed away at the time of Saĥar (before dawn) on the 14th Rajab 1399 A.H., (may Allāh

Ta`ālā shower mercy on him). He related an incident to me at my home in Ĥalab some nine years ago as follows:

"A man who was not known to me entered the Masjid just before the Źuhr Adhān. I later came to know who he was. He was Shaikh Nāŝir Al-Albāni! (a leading scholar of the rejecters of Taqlīd) – He sat down waiting for the Adhān. When the Mu'adh-dhin said:

اللهُ أكبرَ اللهُ أكبر

with the fat-ĥa vowel on the letter raa', the man exclaimed with a shudder in anger: "This is wrong! This is Bid'ah." I asked: "What is incorrect and Bid`ah?" He replied: "This is in contradiction to what is in 'Ŝaĥīĥ Muslim'!" So I asked the question: "What is in 'Ŝaĥīĥ Muslim'?" The man said: "In Ŝaĥīĥ Muslim it is mentioned as follows:

اللهُ أكبرُ اللهُ أكبر

with the đammah vowel on the raa."

Shaikh `Abdul `Azīz then asked him in his composed and respectful manner that he was known for: "Did you learn '*Ŝaĥīĥ Muslim*' from your Shuyūkh (teachers), who learnt it from their Shuyūkh up to Imām Muslim رحمة الله عليه that Imām Muslim narrated it with a đammah on the raa, or are you referring to what the typists have typed." Our Shaikh said: "He remained silent and so did I." He then performed Ŝalāh and went away."[106]

Shaikh Muĥammad `Awwāmah comments: "The intelligent should take a lesson from this…"[a]

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[a] Refer to what Shaikh `Awwāmah writes after the above quotation about Shaikh Albāni on page 47 of '*Atharul Ĥadīth As-Sharīf*'. Read what he says on page 70, 71 as well. Also take note of Albāni's debate with =

c) Going against rulings that were unanimously practiced by the entire ummah for many centuries

The following are examples:

i. *The Raka`āt of Tarāwīh* - since the time of the Ŝaĥābah ‎ up until a century ago, the <u>entire</u> ummah practiced the performance of twenty raka`āt of Tarāwīh unanimously. This new deviant sect (who reject Taqlīd) claims that only eight raka`āt should be performed for Tarāwīĥ and not twenty. They deduce this from a Ĥadīth of 'Ŝaĥīĥ Muslim', which Imām Muslim ‎ himself, as well as other Muĥaddithīn have recorded among the Aĥādīth of Tahajjud, and not of Tarawīĥ.[a]

ii. *The Issue of Three Ṭalāqs in one Instance* - the four ma<u>dh</u>āhib as well as all the Imāms of Fiq-h and Ĥadīth are unanimous that, when three ṭalāqs have been issued, whether in one instance, or on different occasions, then all three would take effect[107]. This sect insists that if three ṭalāqs were issued in one instance, then only one would take effect[b].

= Shai<u>kh</u> Al-Būṭi on page 100 of this book, and then reflect how '*blindly*' these rejecters of Taqlīd follow him.

[a] Shai<u>kh</u> `Aṭiyyah Sālim ‎ has written a book on the history of Tarāwīh in the Ĥaram spanning a period of over a thousand years. Moulānā Ĥabībur-Raĥmān A`źami ‎ (whom Shai<u>kh</u> Abdul Fattāĥ once called: '*The Muĥaddith of the era, among the Arabs and non-Arabs*') also compiled a voluminous work on the subject. Madrasah `Arabiyyah Islamiyyah of Azaadville, South Africa has also published a brief treatise in the English Language.

[b] One of the most outstanding books in refutation of their stance is the famous *Al-Ishfāq `Alā Aĥkām Aṭ-Ṭalāq* by Imām Zāhid Al-Kowthari ‎.

iii. *Tying of the Hands after Rukū` in Ŝalāh* - the entire ummah, through the passage of centuries, was always unanimous that the hands should be left untied during the standing position after rukū`. It is not known about anyone, from the time of the Ŝaĥābah ﷺ up until the last century, that tied his hands after rukū` (except some isolated opinions found in the fourth century of Islām[108]). This sect has innovated this trend, which may be observed commonly in the Ĥaram.

There are numerous other Masā-il[a], where they have contradicted unanimous rulings of the four Imāms on the basis of their unqualified Ijtihād. May Allāh Ta`ālā save us and the entire ummah from their corruption, Āmīn.

d) Encouraging the masses to refer directly to the Qur'ān and Ĥadīth without the need of any further reference or explanation from the experts of the respective fields

In this way, they create within the laity, a mood of criticizingly questioning the statements of their scholars. Consequently, a rift is formed between the masses and their religious scholars, resulting in the laity being left without guides. This was indeed the beginning of the downfall of many past nations. Refer to 'Saviours of the Islamic Spirit' by Moulānā Abul Hasan Alī Nadwī for vivid examples, where such a rift resulted in the fall of past Muslim empires; and learn how creating such a rift was a successful tool

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[a] … Such as making masaĥ on cotton socks; declaring the visit to Madīnah Munawwarah with the intention of visiting the grave of Rasūlullāh ﷺ impermissible; declaring the wearing of gold rings and bangles impermissible for women (See: الألباني شذوذه وأخطاءه – page 48); not accepting that *ijmā`* is an irrefutable proof; etc.

utilized by the enemies of Islam. May Allāh Ta`ālā save the ummah of His beloved Nabi ﷺ.

25. The following statement is quoted from almost every Imām: "When a Ĥadīth is authentic, it is my ma<u>dh</u>-hab." What did they mean by this?

A: Shai<u>kh</u> MuĥAmmad `Awwāmah writes[109]: "This statement was made by Imām Shāfi`ī, and other Imāms. In reality, this is the belief of every Muslim who has understood the purport of

لَا إِلٰهَ إِلَّا اللّٰهُ مُحَمَّدٌ رَّسُوْلُ اللّٰهِ

… But, what is meant by it is: *When a Ĥadīth is suitable for being practiced (i.e. after having been examined by means of all the necessary tools of Ijtihād), then it is my ma<u>dh</u>-hab.*

I will clarify and substantiate this by the statements of scholars of the Ĥanafi, Shāfi`ī and Māliki ma<u>dh</u>āhib". The Shai<u>kh</u> then went on to substantiate his interpretation by quotations from scholars, which extends over 15 pages, and followed it with a summary.

Before mentioning his summary, I would like to clarify a quest that may be lurking in the reader's mind. Your likely quest is condensed in the following words:

"Are some Aĥādīth actually not suitable for practice?"

In answer to the above question, I cite the following quotation from the famous '*Nu<u>kh</u>batul Fikr*" by Ĥāfiź Ibn Ĥajar `Asqalāni رحمة الله عليه (d. 852 A.H.) "…Then *maqbūl* (the authentic category of Aĥādīth) are further divided into: *those that are suitable for practice, and those that are not suitable for practice*. (Its details follow :) If (the Ĥadīth) is saved from contradiction (of another Ĥadīth), then it is

termed *'muĥkam'*. If (however) it is contradicted by its like (i.e. another *maqbūl* Ĥadīth), then if reconciliation is possible, it will be (classified under) *'Mukhtaliful Ĥadīth'*[a]. If (reconciliation is) not (possible), then, if the later one is known, it will be termed *Nāsikh* (abrogator), and the other would be *Mansūkh* (abrogated). If (this also is) not (possible, then) *Tarjīĥ* should be done (where one is given preponderance over the other)[b]. (When *Tarjīĥ* also proves too difficult), then *Tawaqquf* (is the final option. *Tawaqquf* is to suspend the matter without stipulating any practice upon any of the two contradictory Aĥādīth, until Allāh Ta`ālā opens a door of clarity)" [110].

From the above, it is learnt that, Aĥādīth that seem to contradict one another, may not be practiced in accordance with their apparent meanings before being reconciled. They may only be practiced once interpreted and explained in a manner that eliminates contradiction. Further, in the case of abrogation, the abrogated Ĥadīth is not practiced. The abrogating Ĥadīth alone will be stipulated for practice.

It should also be noted that those Aĥādīth that have mention of practices of Rasūlullah ﷺ that were specifically prescribed to him by Allāh Ta`ālā, are also categorized as unsuitable for practice[111]. These are identified through other Aĥādīth that either explicitly state it, or give the clear and lucid practice prescribed for the followers.

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[a] This subject has been dealt with adequately under question number 22.

[b] *Tarjīĥ* has also been discussed extensively under question number 22.

In *'Al-Faqīh wal Mutafaqqih'* 1/132, Ĥāfiź Khaṭīb Al-Baghdādi ﷫ quotes Imām Muĥammad Ibn `Īsā aṭ-Ṭabbā` ﷫, one of the great scholars of Ĥadīth and Fiq-h, and a student of Imām Mālik ﷫, as having stated: "Leave every such Ĥadīth that is transmitted to you from Rasūlullah ﷺ, about which you have not been informed of any of His companions having practiced upon it."[112]

Shaikh `Awwāmah further wrote: "And the summary of the answer to the above-mentioned question, that is derived from the statements of the following illustrious authorities: Ibn `Ābidīn, Ibnuŝ-Ŝalāĥ, his student Abu Shāmah, Nawawi who is the student of Abū Shāmah, then Qirāfī, and finally Subkī; is that: only he *who has reached the degree of Ijtihād or very close to it* is qualified enough to claim that a particular law (extracted by himself) may be attributed to the madh-hab of Imām Ash-Shāfi`ī or any other Imām, on the basis of the above-mentioned statement (of Imām Shāfi`ī).

"Henceforth it becomes clear that it is not correct for anyone of our category, by merely finding a Ĥadīth, even though it may be authentic (Ŝaĥīĥ); to claim that 'this' is the madh-hab of Imām Ash-Shāfi`ī, or any other Imām, and that, by him practicing upon it, he is practicing in accordance with an authorized code of jurisprudence which is in conformance to the madh-hab of an authoritative Imām.

"It also becomes clear from the above that some of the learned scholars of the past had practiced upon the apparent meaning of the statement. Consequently, later scholars exposed the error in their finding; or their analogy was discovered to be a result of

misunderstanding[a]. Hence, an intelligent person ought to take a lesson from it. [113]"

It will also be appropriate to mention that the Muĥaddithīn have differed with regards to *the principles governing authenticating of Aĥādīth*. This is also one area of Ijtihād. The following is a brief overall illustration:

Shai<u>kh</u> Muĥammad `Awwāmah states in the beginning of his book *'Atharul Ĥadīth Ash-Sharīf':* "Discussion regarding the first cause (of differences, viz. *'when will a Ĥadīth be regarded suitable for practical application'*) consists of four essential points, two of which pertain to its chain of narration, and the other two relate to its text. These four points are as follows:

1. The differences regarding some of the conditions for declaring a Ĥadīth authentic.

2. Is it necessary for the Ĥadīth to be declared 'Ŝaĥīĥ' (- a certain high level of authenticity) before it may be practiced?

3. Confirming its precision with regards to its prophetic wording.

4. Confirming its accuracy of vowelization in the Arabic language".

The above four points have been discussed by Shai<u>kh</u> Muĥammad `Awwāmah at length over eighty two pages. Due to

[a] This means that the latter scholars who belonged to the very Math-habs of the former ones looked into the 'new' deductions made by their predecessors which were attributed by them to the Math-hab, and found discrepancies within those deductions and analogies.

its length, we are unable to reproduce the entire discussion here. However, the basic point to note is that the scholars have differed with regards to the very principles governing the authentication of Ĥadīth, the conditions for it to be declared evidential, and thereafter practicable. This is the first stage. Once it has passed this stage, it will be put through the sieves of Uŝūl (maxims of jurisprudence) for *extraction of rulings*. This in itself is what Ijtihād is all about.

Therefore, the matter boils down to what was said by the great Shāfi`ī scholar, Imām Nawawi رحمه الله: "What Imām Shāfi`ī رحمه الله said does not imply that anyone may find an authentic Ĥadīth and claim that it is the madh-hab of Imām Shāfi`ī, and thereby go ahead by practising upon its apparent meaning. This statement is only directed to those who have reached the degree of *Ijtihād* in the madh-hab.

Furthermore, the condition is that he must be confident that Imām Shāfi`ī رحمه الله was not aware of the Ĥadīth or its authenticity. This can only be achieved after researching all of Imām Shāfi`ī's as well as his students' works. This is a demanding precondition, which very few people have acquired.[114]"

Finally, Shaikh Muĥammad `Awwāmah حفظه الله ورعاه says: "The Dīn of Allāh ﷻ is far more exalted than being used as a toy in the hands of explorers who claim to be practicing on the Sunnah without being qualified to do so… *and every science has its own experts, and none is permitted to trespass his own boundary* (by stepping into the fields of others).[115]"

A SUMMARY OF A DEBATE

Between **Shaikh Muĥammad Sa`īd Ramađān Al-Būțī** (a leading Syrian scholar) and **Nāŝir Al-Albāni** (a leading 'scholar' of a sect that rejects Taqlīd)

Būțī: What is your method for understanding the rulings of Allāh? Do you take them from the Qur'ān and Sunnah, or from the Imāms of Ijtihād?

Albāni: I examine the positions of the Imāms and their evidences for them, and then rely upon the closest of them to the evidence of the Qur'ān and Sunnah.

Būțī: Is it obligatory for every Muslim to examine the evidences for the positions of the Imāms, and adopt that which is the closest of them to the Qur'ān and Sunnah?

Albāni: Yes.

Būțī: This means that all people possess the same capacity for Ijtihād that the Imāms of the madhāhib have; or even greater, since without a doubt, anyone who can judge the positions of the Imāms and evaluate them according to the measure of the Qur'ān and Sunnah must know more than all of them.

Albāni: In reality, people are of three categories: the Muqallid or 'follower of qualified scholarship without knowing the primary textual evidence (of Qur'ān and Ĥadīth)'; the *muttabi'*, or 'follower of primary textual evidence'; and the Mujtahid, or scholar who can deduce rulings directly from the primary textual evidence (Ijtihād). He who compares between madhāhib and chooses that which is the closest of them to the Qur'ān is a *muttabi'*, a follower of primary textual evidence, which is an intermediate degree

between Taqlīd and deducing rulings from primary texts (Ijtihād).

Būṭī: Then what is a Muqallid obliged to do?

Albāni: To follow the Mujtahid he agrees with.

Būṭī: Is there any problem in his following one of them, adhering to him, and not changing?

Albāni: Yes. It is unlawful (Ĥarām).

Būṭī: What is the proof that it is unlawful?

Albāni: The proof is that he is obliging himself to do something Allāh, the Mighty and Majestic, has not obligated him to.

Būṭī: Which of the seven canonical readings (qira'āt) do you recite the Qur'ān in?

Albāni: That of Ĥafŝ.

Būṭī: Do you recite only in it, or in a different canonical reading each day?

Albāni: No, I recite only in it.

Būṭī: Why do you recite only according to it when Allāh `Azza wa Jalla has not obliged you but to recite the Qur'ān as it has been conveyed—with the total certainty of tawātur (being conveyed by narrators so numerous at every stage of transmission that their sheer numbers obviate the possibility of forgery or alteration), from the Prophet ﷺ ?

Albāni: Because I have not had an opportunity to study other canonical readings, or recite the Qur'ān except in this way.

Būṭī: But the individual who learns the Fiq-h of the Shafi`ī school—he too has not been able to study other madhāhib or had the opportunity to understand the rules of his religion except from this Imām. So if you say that he must know all the Ijtihāds of the Imāms so as to go by all of them, it follows that you too must learn all the canonical readings so as to recite in all of them. And if you excuse yourself because you cannot, you should excuse him also. In any case, what I say is: where did you obtain the idea that it is obligatory for a Muqallid to keep changing from one madh-hab to another, when Allāh has not obliged him to? That is, just as he is not obliged to adhere to a particular madh-hab, neither is he obliged to keep changing.

Būṭī (again): Where did you obtain this distinction between the Muqallid and the muttabi`: Is there an original, lexical distinction (in the Arabic language), or is it merely terminological?

Albāni: There is a lexical difference.

Būṭī: (I brought him lexicons with which to establish the lexical difference between the two words, and he could not find anything. I then said): Abu Bakr ﷺ said to a desert Arab who had objected to the allotment for him agreed upon by the Muslims, 'If the Emigrants accept, you are but followers'—using the word 'followers' (tabi`[a]) to mean 'accepting and following without any prerogative to consider, question, or discuss.'[b]

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[a] This word is a derivative of the same root-word that *muttabi`* is derived from.

[b] Shaikh Būṭi adds in the footnotes: "Similar to this is the word of Allāh Ta`ālā, "When those who were followed (*uttubi'ū*) would disown those who followed (*ittaba'ū*), and they would see the torment, and their relations would be broken" (Qur`ān 2:166), which uses follow (*ittiba'*) for the most basic blind imitation).

Albāni: Then let it be a technical difference: don't I have a right to establish a terminological usage?

Būṭī: Of course. But this term of yours does not alter the facts. This person you term a muttabi` will either be an expert in evidences and the means of textual deduction from them, in which case he is a Mujtahid. Or, if he is not an expert or unable to deduce rulings from them, then he is a Muqallid. And if he is one of these on some questions, and the other on others, then he is a Muqallid for some and a Mujtahid for others. In any case, it is an either-or distinction, and the ruling for each is clear and plain.

Albāni: The muttabi` is someone able to distinguish between scholarly positions and the evidences for them, and to judge one to be stronger than others. This is a level different to merely accepting scholarly conclusions.

Būṭī: If you mean, by distinguishing between positions differentiating them according to the strength or weakness of the evidence, this is the highest level of Ijtihād. Are you personally able to do this?

Albāni: I do so as much as I can.

Būṭī: I am aware that you give fatwās that a three-fold pronouncement of divorce on a single occasion only counts as one time. Did you check, before this fatwā of yours, the positions of the Imāms and their evidences on this, then differentiate between them, and gave the fatwā accordingly? Now, 'Uwaymir Al-'Ajlāni pronounced a three-fold divorce at one time in the presence of the Prophet ﷺ after he had made public imprecation against his wife for adultery (li`ān), saying, "If I retain her, O Messenger of Allāh, I will have lied against her: she is (hereby) thrice divorced." What do you know about this Ĥadīth and its

relation to this question, and its bearing as evidence for the position of the scholarly majority (that a three-fold divorce pronounced on a single occasion is legally finalized and binding) as opposed to the position of Ibn Taimiyyah (that a three-fold divorce on a single occasion only counts as once)?

Albāni: I did not know this Ĥadīth.

Būṭī: Then how could you issue a fatwā on this question that contradicts what the four madhāhib unanimously concur upon, without even knowing their evidence, or how strong or weak it was? Here you are, discarding the principle you say you have enjoined on yourself and mean to enjoin on us, the principle of "following scholarly evidence (ittibā`)" in the meaning you have terminologically adopted.

Albāni: At the time I didn't own enough books to review the positions of the Imāms and their evidence.

Būṭī: Then what made you hasten into issuing a fatwā contravening the vast majority of Muslims, when you hadn't even seen any of their evidences?

Albāni: What else could I do, as I was asked and I only had a limited amount of scholarly resources?

Būṭī: You could have done what all scholars and Imāms have done; namely, say "I don't know," or told the questioner the position of both the four madhāhib and the position of those who contravene them; without issuing a fatwā for either side. You could have done this, or rather; this was what was obligatory for you, especially since the problem was not personally yours so as to force you to reach some solution or another. As for you issuing a fatwā contradicting the consensus (Ijmā`) of the four Imāms

without knowing—by your own admission—their evidences, sufficing yourself with the agreement in your heart for the evidences of the opposition, this is the most serious kind of narrow-mindedness you accuse us of.

Albāni: I read the Imāms' opinions in (*Nailul-Awṭar*, by) Shawkāni, *Subulus-salām* (by Al-Amir Al-San`āni), and *Fiq-h Al-Sunnah* by Sayyid Sābiq.

Būṭī: These are the books of the opponents of the four Imāms on this question. All of them speak from one side of the question, mentioning the proofs that support their side. Would you be willing to judge one complainant on the basis of his words alone, and that of his witnesses and relatives?

Albāni: I see nothing blameworthy in what I have done. I was obliged to give the questioner an answer, and this was as much as I was able to reach with my understanding.

Būṭī: You say you are a 'follower of scholarly evidence (muttabi`)' and we should all be likewise. You have explained 'following evidence' as reviewing the positions of all madhāhib, studying their evidences, and adopting the closest of them to the correct evidence—while in doing what you have done, you have discarded the principle completely. You know that the unanimous consensus of the four madhāhib is that a three-fold pronouncement of divorce on one occasion counts as a three-fold, finalized divorce, and you know that they have evidence for this that you are unaware of, despite which you turn from their consensus to the opinion that your 'personal preference desires'. Were you certain beforehand that the evidence of the four Imāms deserved to be rejected?

Albāni: No; but I wasn't aware of them, since I didn't have any reference works on them.

Būṭī: Then why didn't you wait? Why rush into it, when Allāh never obligated you to do anything of the sort? Was your not knowing the evidences of the scholarly majority a proof that Ibn Taimiyyah was right? Is the bigotry you wrongly accuse us of anything besides this?

Albāni: I read evidences in the books available to me that convinced me. Allāh has not enjoined me to do more than that.

Būṭī: If a Muslim sees a proof for something in the books he reads, is that a sufficient reason to disregard the madhāhib that contradict his understanding, even if he doesn't know their evidences?

Albāni: It is sufficient.

Būṭī: A young man, newly religious, without any Islamic education, reads the word of Allāh Ta`ālā "*To Allāh belongs the place where the sun rises and where it sets: wherever you turn, there is the countenance of Allāh. Verily, Allāh is the All-encompassing, the All-knowing*" (Qur'ān: Al-Baqarah:115), and gathers from it that a Muslim may face any direction he wishes in his prescribed prayers, as the apparent purport of the verse implies. But he has heard that the four Imāms unanimously concur upon the necessity of his facing towards the Ka`bah, and he knows they have evidences for it that he is unaware of. What should he do when he wants to pray? Should he follow his conviction from the evidence available to him, or follow the Imāms who unanimously concur on the contrary of what he has understood?"

Albāni: He should follow his conviction.

Būṭī: And pray towards the east for example. And his prayer would be legally valid?

Albāni: Yes. He is morally responsible for following his personal conviction.

Būṭī: What if his personal conviction leads him to believe there is no harm in making love to his neighbour's wife, or to fill his belly with wine, or wrongfully take others' property: will all this be mitigated in Allāh's reckoning by 'personal conviction'?

Albāni: (He was silent for a moment, then said,) Anyway, the examples you ask about are all fantasies that do not occur.

Būṭī: They are not fantasies; how often the like of them occurs, or even stranger. A young man without any knowledge of Islam, its Book, its Sunnah, who happens to hear or read this verse by chance, and understands from it what any Arab would from its outward purport, that there is no harm in someone praying whilst facing any direction he wishes—despite seeing people facing towards the Ka`bah rather than any other direction. This is a straightforward matter, theoretically and practically, as long as there are those among Muslims who don't know a thing about Islam. In any event, you have pronounced upon this example—imaginary or real—a judgement that is not imaginary, and have judged "personal conviction" to be the decisive criterion in any event. This contradicts your differentiating people into three groups: followers of scholars without knowing their evidence (Muqallidīn), followers of scholars' evidence (muttabi`īn), and Mujtahids.

Albāni: Such a person is obliged to investigate. Didn't he read any Ĥadīth, or any other Qur'ānic verse?

Būṭī: He didn’t have any reference works available to him, just as you didn’t have any when you issued your fatwā on the question of a (three-fold) divorce. And he was unable to read anything other than this verse connected with facing the qiblah and its obligatory character. Do you still insist that he must follow his personal conviction and disregard the Imāms’ consensus?

Albāni: Yes. If he is unable to evaluate and investigate further, he is excused, and it is enough for him to rely on the conclusions his evaluation and investigation lead him to.

Būṭī: I intend to publish these remarks as yours. They are dangerous, and strange.

Albāni: Publish whatever you want. I’m not afraid.

Būṭī: How should you be afraid of me, when you are not afraid of Allāh Ta`ālā, utterly discarding by these words the word of Allāh Ta`ālā (in Sūrah an-Naĥl) *“Ask those who recall if you know not”* (Qur’ān An-Naĥl: 43).

Albāni: My brother! These Imāms are not divinely protected from error (ma`sūm). As for the Qur’ānic verse that this person followed (in praying in any direction), it is the word of Him who is protected from all error, may His glory be exalted. How should he leave the divinely-protected and attach himself to the tail of the non-divinely-protected?”

Būṭī: O you! What is divinely-protected from error is the true meaning that Allāh intended by saying, *“To Allāh belongs the place where the sun rises and where it sets . . .”* — not the understanding of the young man who is as far as can be from knowing Islam, its rulings, and the nature of its Qur’ān. That is to say, the comparison I am asking you to make is between two

understandings: the understanding of this ignorant youth, and the understanding of the Mujtahid Imāms, neither of which is divinely-protected from error, but one of which is rooted in ignorance and superficiality, and the other of which is rooted in investigation, knowledge, and accuracy.

Albāni: Allāh does not make him responsible for more than his effort can do.

Būṭī: Then answer me this question. A man has a child who suffers from some infections. All the doctors in town examined him, and agree to a specific treatment for him, and warn his father against giving him an injection of penicillin, and that, if he does so, he will be putting the child's life in danger. Now, the father knows from having read a medical publication that penicillin helps in cases of infection. So he relies on his own knowledge about it and disregards the advice of the doctors as he doesn't know their proof in what they say. Thus, rather employing his own personal conviction, he treats the child with a penicillin injection, and the child dies. Should such a person be tried, and is he guilty of a wrong for what he did, or not?

Albāni: (He thought for a moment and then said :) This is not the same as that.

Būṭī: It is exactly the same. The father has heard the unanimous judgement of the doctors, just as the young man has heard the unanimous judgement of the Imāms. The former followed a single text which he read in a medical publication, whilst the latter has followed a single text which he read in the Book of Allāh Ta`ālā. This one has gone by personal conviction, and so has that.

Būṭī (again): The two examples are the same, without any difference. Thus you should without any alternative answer me:

Should a researcher follow his personal conviction or accept what the experts say?

Albāni: Instead, personal conviction is the basis.

Būṭī: So he utilized his personal conviction, which resulted in the death of the child. Thus, does he become religiously or legally responsible for his deed?

Albāni, boldly: He has no responsibility.

Būṭī: Then let us close this discussion with your generalized statement. There exists no possibility of any common ground between the two of us upon which we may base any discussion. However, this much should suffice for you that you have, by your amazing answer, discarded the consensus of the entire Muslim nation… And, by Allah, there can never be any existence of 'detestable bigotry' on the surface of the earth if you are not the possessors thereof…

Summarized from "Al-Lāmadh-habiyyah" (01/99–108).



CONCLUSION

Today, the Dīn of Allāh has become so 'cheap' to people, that they are easily captivated by oratory, lineage, or land – (each of which has absolutely no basis in Dīn). They would buy statements so easily, without bothering to investigate the matter from the learned. The illustrious Tābi`ī, Muĥammad Ibn Sīrīn ﵀ stated[116]: "Verily this `Ilm (knowledge) is Dīn, therefore be cautious about who you take your Dīn from."

Alas! An age has eventually dawned when ignorant people, claiming to have "doctorates" in Dīn, become leaders and take the stand of Mujtahidīn. It has become so common for just anyone to open Ŝaĥīĥ Bukhāri, read here or there, make conclusions without knowledge, and above all, regard his deductions in high regard. This scenario reminds us of a Ĥadīth of Rasūlullāh ﷺ narrated by Imām Bukhāri ﵀ where-in it is stated. "Allāh will not take away `Ilm by snatching it away from His bondsmen, but He will take away `Ilm by taking away the `Ulamā', until he does not leave even one `Ālim, then people will take as leaders, ignorant people. They will be asked (for verdicts), and will pass verdicts without `Ilm. They will go astray, and mislead others as well."

The following is a glimpse of the way the Mujtahidīn feared Allāh Ta`ālā:

Imām Abu Ĥanīfah ﵀ is reported to have said[117]: "The person who makes a statement in any matter pertaining to `Ilm, and thinks that Allāh is not going to question him about the basis for his verdict in Allāh's Dīn, has truly given very little regard to himself and his Dīn".

Imām Mālik ﷺ says[118]: "I never passed a ruling until *seventy* (scholars of Fiq-h) testified that I am worthy of that (i.e. to pass verdicts)".

Imām Mālik ﷺ also narrated[119]: "A person once informed me that he came upon Rabī`ah Ibn Abu `Abdurraĥmān – the most well-known of those by whom Imām Mālik had studied Fiq-h – and found him crying. He was awe-struck by his crying. Upon enquiry about the reason why he was crying and the difficulty that he was experiencing, Rabī`ah ﷺ replied. "No! But a man who has no knowledge was asked to pass a ruling (in a matter of Dīn). A very grave thing has happened in Islām. (This is causing me to cry)."

I finally conclude with a statement made by a famous scholar who belongs to the group of the rejecters of Taqlīd, Moulānā Muĥammad Ĥusain Baṭālwi ﷺ (d. 1338 A.H.). He writes[120]:

"We have discovered after twenty-five years of experience that those people who abandon Taqlīd and take the stand of a *Mujtahid muṭlaq* in spite of being bereft of its qualifications, eventually make salām to Islām (i.e. they forsake their Dīn). Other causes of irreligiousness and disbelief are to be found in abundance in the world. But, a most influential cause for the religiously inclined to turn to irreligiousness is the abandoning of Taqlīd coupled with ignorance…"

May Allāh Ta`ālā save us, our families, townsfolk, countrymen, and the ummah at large, from abandoning Taqlīd; and from all other kinds of fitan. Āmīn.

AN ANSWER TO A QUESTION[a]

About a Ĥadīth in Bukhāri and its application
by the rejecters of Taqlīd

Honourable brother in Islām,

Assalāmu`alaikum Waraĥmatullāhi Wabarakātuh,

I write this letter to you in answer to a question that you verbally posed to me a few days ago. The question was about the permissibility of wearing short sleeves whilst performing Ŝalāh. Your question implied that it should be permissible; as it appears from a Ĥadīth of 'Ŝaĥīĥ Bukhāri' that Rasūlullāh ﷺ wore short sleeves whilst performing Ŝalāh.

My response to you is discussed under the following five headings:

i) The wording of the Ĥadīth,
ii) Under what heading was the Ĥadīth brought and discussed by the Muĥaddithīn,
iii) What were the deductions of the Muĥaddithīn and the Fuqahā from the Ĥadīth,

[a] One Sunday, while entering our local masjid for Źuhr Ŝalâh, I noticed a friend coming in, wearing a kurta (qamees) with short-sleeves. I informed him that this was not in conformance to the fiq-h of any Imâm. He promptly responded: *"But I read it in Ŝahīĥ Bukhari."* In answer to that, I prepared for him this reply. He was convinced by it Alĥamdulillâh. He also remarked that, from this answer, he learnt that deduction of laws in Deen is not a simple matter.

iv) What were the rulings of the Fuqahā with regards to the mas'alah under discussion, and
v) What was the basis of the rulings of the Fuqahā in this issue?

At the very onset, it will be appropriate for me to inform you that this discussion is being simplified for the understanding of a layperson; and certain issues that require an academic background of the various Islamic sciences, are being discarded here. I would not have embarked upon this answer, but the reason why I take upon myself to answer this question is the fear of an existing notion that there is no answer.

The wording of the Ĥadīth

Imām Bukhāri رحمة الله عليه narrates (Ĥadīth no. 390) on the authority of Mālik Ibn Buĥainah رضي الله عنه that *when Nabi ﷺ performed Ŝalāh, he spread his hands until the whiteness of his (blessed) armpits became visible*. This Ĥadīth with its heading, and the chapter before/after it is mentioned in 'Ŝaĥīĥ Bukhāri' twice, once in 'Kitābuŝ-Ŝalāh', and another in 'Kitābul-Adhān'. The script of Mustamli contains the two chapters in *Kitābul-Adhān* only, which Ĥāfiź Ibn Ĥajar says, is more correct. This Ĥadīth has been narrated by Imām Muslim رحمة الله عليه (Ĥadīth no. 1105/6) and other Muĥaddithīn as well.

Under what heading was the Ĥadīth brought and discussed by the Muĥaddithīn?

This Ĥadīth was recorded by all the Muĥaddithīn, (in the books of Ĥadīth that I had the opportunity of looking through), under the chapter of "*spreading out the arms in Sajdah*".

It should be known that the 'Ŝaĥīĥ' of Imām Bukhāri رحمة الله عليه apparently contains about 7275 Aĥādīth. But in reality, there are only four thousand Aĥādīth in it. The remainder of the Aĥādīth have been brought more than once in different chapters, thus amounting to 7275 in total. The reason for the repetition is that, since the conditions for the acceptance of any Ĥadīth for his 'Ŝaĥīĥ' were of an extremely strict nature, (i.e. only a certain category of authentic Aĥādīth were selected), Imām Bukhāri رحمة الله عليه quoted the same Ĥadīth in various chapters to establish different masā-il of diverse spheres[a].

In spite of this, we do not find Imām Bukhāri, or any other Muĥaddith or Faqīh for that matter, quoting *this* Ĥadīth to substantiate a ruling like "*The (general) permissibility of Salāh with short sleeves, or rolled up sleeves or open arms*", and the like. Rather, it takes an 'intellectual' of the 15th century of Islām to discover this great phenomenon in the treasures of Ĥadīth, which contradicts the rulings of the Fuqahā of all four madhāhib unanimously – who were the true experts of the meanings of Ĥadīth.

What were the deductions of the Muĥaddithīn and the Fuqahā from the Ĥadīth?

None of the commentators of these illustrious books of Ĥadīth, such as Imām Nawawi, Ĥāfiź Ibn Ĥajar `Asqalāni, `Allāmah Kashmīri and others رحمهم الله تعالى, discussed the possibility of such a ruling being deduced from this Ĥadīth, in spite of their tendency of virtually "*extracting the skin from the hair of every Ĥadīth*" (a formal reference to their intensive scrutiny of every Ĥadīth).

[a] This is why it is said that '*the Fiq-h of Imām Bukhāri is found within his headings*', which means that he recorded *Aĥādîth* that conformed to his headings, and not the other way round.

Other matters were discussed instead, such as whether the blessed armpits of Rasūlullāh ﷺ were really white, whether there existed hair on the blessed armpits of Rasūlullāh ﷺ, and other Aĥādîth and matters concerning the *sajdah* of Rasūlullāh ﷺ.

Some commentators mentioned this much only: that it seemed that Rasūlullāh ﷺ did not have on a "Qamīŝ"- i.e. an upper garment – at that time. They probably stated this because short sleeves at that time were something unheard of. Thus, the furthest we may go, is to deduce from here that Ŝalāh in itself will be in order if performed in that manner – i.e. only with the "`*Awrah*" (*Satr*) covered – and that it will not be Makrūh *under certain circumstances* as well.

The point is that since the ruling of performing ŝalāh with short-sleeves, etc was derived from other substantial evidences, and this Ĥadīth was one of probabilities, its evidential status no longer remains.

The following are some of the probabilities:

Rasūlullāh ﷺ could have been at that time in a condition of not possessing more than one or two sheets, whilst one sheet could have been drying. This used to be the condition of Rasūlullâh ﷺ at times. Consider the following incident:

Imām Bukhāri ؒ reports on the authority of Sahl Ibn Sa`d ؓ that a woman came to Rasūlullāh ﷺ with a woven cloth saying: I have woven this cloth with my own hands so that I may grant it to you to wear. Rasūlullāh ﷺ took it while he was in need of it, and came out to us wearing it as his lower garment. One person liked it and asked Rasūlullāh ﷺ for it. The Ŝaĥābah ؓ said (to

him): You did not do a good thing. Rasūlullāh ﷺ wore it out of need, and yet you asked it of him, inspite of your knowledge that he does not refuse a beggar. The man replied: By Allāh, I did not ask for it to wear. I only asked for it so that it may be my *Kafn*. Sahl رضي الله عنه says: It really became his *Kafn*. This probability was suggested by Ibn at-Tīn رحمه الله as stated in 'Fat-ĥul Bāri'.

Other probabilities were that he could have been in a state of iĥrām; or that the clause could have been said in a hypothetical sense as suggested by Imām Qurṭubi رحمه الله. (see: Fat-ĥul Bāri, Kitābul Adhān, Chapter on separating the arms from the sides in sujūd).

In this case it would mean: *Had he not been wearing a top, the whiteness of his armpits would have become visible to us due to the way he seperated his arms in Sajdah*). Speaking in hypothetical terms is a common form of expression in the Arabic language. Study the following *Ĥadīth*:

"Jealousy is only permissible with respect to two people…" the exegetes have explained that it was said in a hypothetical sense, or that 'jealousy' here means 'envy', since the apparent meaning of jealousy being permissible is in clear contradiction of various other *Aĥādîth*. And Allāh Ta`ālā knows best.

Besides, what is amazing is that 'these *modern* scholars' who only found this Ĥadīth to make their phenomenal deduction, were not observant enough to realize through 'their Ijtihād' what was deduced by the illustrious Fuqahā of the four madhāhib from the eighth subsequent heading in 'Kitābul-Adhān' of 'Ŝaĥīĥ Bukhāri'.

The heading reads: "*Chapter: He should not withhold/restrain his clothing in Ŝalāh*".

Beneath this heading, Shai<u>kh</u>ul Ĥadīth Moulānā Muĥammad Zakariyyā ﷺ quoted the following statement of `Allāmah Badruddīn `Ainī ﷺ (a contemporary of Ibn Ĥajar ﷺ and one of the commentators of Ŝaĥīĥ Bu<u>kh</u>ārī) in his Arabic annotations on Ĥađrat Moulānā Rashīd Aĥmad Gangohi's ﷺ commentary on Ŝaĥīĥ Bu<u>kh</u>āri:

"It is mentioned in Talwīh that the `Ulamā are all unanimous that it is prohibited to perform Ŝalāh in a condition that one's clothes are folded, or sleeves (rolled up), or hair plaited (for a man), … ,etc. and this is Makrooh-Tanzīhi. Therefore if he performs Ŝalāh in this fashion, then he has erred, but his Salāh is in order. `Allāmah Țabari has based this ruling upon Ijmā".[121]

What were the rulings of the Fuqahā with regards to the issue under discussion?

There are two angles to view in this respect:

1) What do the Fuqahā state about rolled up sleeves, and
2) Did the Fuqahā make specific mention of short-sleeved clothing and Ŝalāh?

1) About rolled up sleeves, *'Al-Fiq-h `Alal-Ma<u>dh</u>āhibil-Arba`ah'* (a book that provides basic rulings of each of the four ma<u>dh</u>āhib), has the following under the chapter of those acts that are *makrūh* (undesirable) in Ŝalāh:

وَمِنهَا افْتِرَاشُ ذِراعَيْهِ، أيْ مَدُّهُما ، كما يَفعَلُ السَّبُعُ، وَمِنها تشْمِيرُ كُمَّيْهِ عَن ذِراعَيْهِ، وهُوَ مَكْرُوهٌ بِالاتِّفَاقِ، إلاَّ أنَّ لِلمالِكيةِ تفْصِيلاً، فَانظُرْ تحتَ الخطّ . . . الخ. (وتحت الخط: المالكية: قيّدُوا ذلك بأنْ يَكونَ لأجْلِ الصَّلاةِ، وأمَّا إذا كانَ مُشَمِّراً قبلَ الدُّخول فيها لِحاجةٍ وَدَخَلَها كذلك، أوْ شمَّر في الصلاةِ لا لأجْلِها فلا كراهة) .

"And amongst them (makrūhāt of Ŝalāh), is to spread one's fore-arms as animals of prey do, and amongst them is the rolling up of one's sleeves beyond the forearms – and this is Makrūh with consensus, besides that the Mālikis have (mentioned) more details. (They have limited the ruling to when this is done specifically for Ŝalāh. However, if a person rolls up his sleeves before entering Ŝalāh for some need, and then enters into Ŝalāh, etc. it is not Makrūh (according to the Mālikis).)"

From here it is clear that the general ruling of at least three ma<u>dh</u>āhib is that it is makrūh. As for the Māliki ma<u>dh</u>-hab, it is confined to the act having been done deliberately. Further clarification on the view of the Māliki ma<u>dh</u>-hab is provided in the commentary of the '*Muwaṭṭa*'' of Imām Mālik, '*Al-Muntaqā*' as follows:

(مَسْأَلَةٌ) : وَيُسْتَحَبُّ أَنْ يَلْبَسَ الْمُصَلِّي ثِيَابَهُ عَلَى أَفْضَلِ هَيْئَاتِهَا مِنْ السَّكِينَةِ وَالْوَقَارِ لِأَنَّ السَّكِينَةَ وَالْوَقَارَ مَشْرُوعٌ فِي الصَّلَاةِ فَإِنْ خَالَفَ هَذِهِ الصِّفَةَ بِأَنْ يُشَمِّرَ كُمَّهُ أَوْ يَشُدَّ ثِيَابَهُ بِحِزَامٍ أَوْ فَعَلَ ذَلِكَ لِشُغْلٍ هُوَ فِيهِ فَالْأَفْضَلُ أَنْ يُزِيلَ ذَلِكَ عَنْهُ وَيُصَلِّيَ الصَّلَاةَ عَلَى الْهَيْئَةِ الْمُسْتَحَبَّةِ فَإِنْ صَلَّى عَلَى حَالِ

التَّشْمِيرِ أَجْزَأَهُ وَلَمْ يَخْرُجْ وَإِنْ فَعَلَ ذَلِكَ لِصَلَاتِهِ فَقَدْ أَسَاءَ وَخَالَفَ السُّنَّةَ لِأَنَّهُ قَصَدَ الصَّلَاةَ بِمَا يُخَالِفُهَا وَتَهَيَّأَ لَهَا بِمَا يُضَادُّ هَيْئَاتِهَا إِلَّا أَنَّهُ مَعَ ذَلِكَ تُجْزِئُهُ صَلَاتُهُ .

"Ruling: And it is Mustaĥab that the Muŝalli (one performing Ŝalāh) should wear clothes that display utmost tranquillity and dignity, as tranquillity and dignity are part of Ŝalāh. If he contradicts this by rolling up his sleeves or tying his clothes with a belt, then if this was done due to labour that he was involved in (before Ŝalāh), it is better for him to remove this condition from himself and perform Ŝalāh in the Mustaĥab (preferred) manner. If he does however perform Ŝalāh with rolled up sleeves, his Ŝalāh will be in order. But if he does so particularly for Ŝalāh, then he has committed an evil and has contravened the Sunnah, because he has intended to perform Ŝalāh with what goes against it and has chosen a mode contrary to its mode. Nevertheless his Ŝalāh will still be in order (i.e. it will not have to be repeated)".

Whilst the first quotation mentions a general ruling for the 'Ĥambali madh-hab', one of the books in 'Ĥambali Fiq-h' contains the clause: *"… without reason"* which means that it will only be makrūh to do so in the absence of a (Shar`ī) reason.

While it will be difficult for me to present to you all the quotations that I have before me, I would like to inform you of some of the names of the books that have this clear verdict:

Commentaries of Ĥadīth:

١ . فتح الباري ٢ . شرح النووي على صحيح مسلم ٣ . عمدة القارئ

٤ . لامع الدراري ٥ . المنتقى شرح الموطأ ٦ . عون المعبود

'Ĥanafi Fiq-h':

١. نور الإيضاح ٢. كنز الدقائق ٣. البحر الرائق

٤. رد المحتار ٥. الطحطاوي على المراقي ٦. فتح القدير

٧. درر الحكام شرح غرر الأحكام

'Shāfi`ī Fiq-h':

١. مغني المحتاج ٢. المجموع شرح المهذب للنووي ٣. نهاية المحتاج

٤. تحفة المحتاج شرح المنهاج ٥. أسنى المطالب شرح روض الطالب

'Māliki Fiq-h':

١. التاج الإكليل لمختصر الخليل ٢. المدونة

'Ĥambali Fiq-h':

١. كشف القناع عن متن الإقناع ٢. دقائق أولي النهى شرح منتهى الإرادات

2) As for the second question, we are not aware of any clear mention made by the Fuqahā about short-sleeved clothing. The reason, as mentioned above, seems to be that such garments were not found, or were very uncommon in those days. However, we do find a hint in some of the Fiq-h books[122] in which these words are added:

أَوْ هَيْئَتُهُ ذَلِكَ

...or that is his state/appearance

which means that his sleeves were short, and not rolled up (i.e. in that case too, the same law of karāhah (it being makrūh) will apply).

Similarly, the words of the text of *Al-Muntaqā* above, states:

"The Muŝalli (one performing Ŝalāh) should wear clothes that display utmost tranquillity and dignity, as tranquillity and dignity are part of Ŝalāh. If he contradicts this by rolling up his sleeves..."

This text explains the *reason* (علة) for the rolling up of sleeves being *makrūh*. This very *reason* (علة) is found in the Ŝalāh of the one who has short sleeves as much as it is found in the Ŝalāh of he who has rolled them up.

What was the basis of the rulings of the Fuqahā in this issue?

The Fuqahā have mentioned the very Ĥadīth of 'Ŝahīĥ Bukhāri', to which I indicated above. The following is an extract from a 'Ĥambali' book of Fiq-h:

(وَ) كُرِهَ أَيْضًا فِي صَلَاةٍ (لَفُّ كُمٍّ) لِقَوْلِهِ صلى الله عليه وسلم ﴿وَلَا أَكُفُّ شَعَرًا وَلَا ثَوْبًا﴾ مُتَّفَقٌ عَلَيْهِ

"And it is also Makrūh in Ŝalāh to fold sleeves, for Rasūlullāh ﷺ had stated. "And I do not hold back hair, nor clothes (by folding, tying, etc)".

Agreed upon (i.e. reported by Imām Bukhāri and Muslim)

Secondly, the Fuqahā have also stated that this ruling is based on the consensus of the `Ulamā' as mentioned earlier. Have a look at Imām Nawawi's text in '*Al-Majmū*`':

قَالَ الْمُصَنِّفُ - رحمه الله - : (وَيُكْرَهُ أَنْ يَكُفَّ شَعْرَهُ وَثَوْبَهُ ؛ لِمَا رَوَى ابْنُ عَبَّاسٍ رضي الله عنهما " أَنَّ النَّبِيَّ صلى الله عليه وسلم أَمَرَ أَنْ يَسْجُدَ عَلَى سَبْعَةِ آرَابٍ وَنَهَى أَنْ يَكُفَّ شَعْرَهُ وَثَوْبَهُ " .

قال النووي: (الشَّرْحُ) هَذَا الحَدِيثُ رَوَاهُ الْبُخَارِيُّ وَمُسْلِمٌ . وَالْآرَابُ الْأَعْضَاءُ , وَهَذَا الْحُكْمُ مُتَّفَقٌ عَلَيْهِ , وَقَدْ اتَّفَقَ الْعُلَمَاءُ عَلَى النَّهْيِ عَنْ الصَّلَاةِ وَثَوْبُهُ مُشَمَّرٌ أَوْ كُمُّهُ أَوْ نَحْوُهُ أَوْ رَأْسُهُ مَعْقُوصٌ أَوْ مَرْدُودٌ شَعْرُهُ تَحْتَ عِمَامَتِهِ أَوْ نَحْوُ ذَلِكَ فَكُلُّ هَذَا مَكْرُوهٌ بِاتِّفَاقِ الْعُلَمَاءِ , وَهِيَ كَرَاهَةُ تَنْزِيهٍ , فَلَوْ صَلَّى كَذَلِكَ فَقَدْ ارْتَكَبَ الْكَرَاهَةَ وَصَلَاتُهُ صَحِيحَةٌ , وَاحْتَجَّ لِصِحَّتِهَا أَبُو جَعْفَرٍ مُحَمَّدُ بْنُ جَرِيرٍ الطَّبَرِيُّ بِإِجْمَاعِ الْعُلَمَاءِ . وَحَكَى ابْنُ الْمُنْذِرِ الْإِعَادَةَ فِيهِ عَنْ الْحَسَنِ الْبَصْرِيِّ ثُمَّ مَذْهَبُنَا وَمَذْهَبُ الْجُمْهُورِ أَنَّ النَّهْيَ لِكُلِّ مَنْ صَلَّى كَذَلِكَ , سَوَاءٌ تَعَمَّدَهُ لِلصَّلَاةِ أَمْ كَانَ كَذَلِكَ قَبْلَهَا لِمَعْنًى آخَرَ , وَصَلَّى عَلَى حَالِهِ بِغَيْرِ ضَرُورَةٍ , وَقَالَ مَالِكٌ : النَّهْيُ مُخْتَصٌّ بِمَنْ فَعَلَ ذَلِكَ لِلصَّلَاةِ , وَالْأَوَّلُ الَّذِي يَقْتَضِيهِ إطْلَاقُ الْأَحَادِيثِ الصَّحِيحَةِ , وَهُوَ ظَاهِرُ الْمَنْقُولِ عَنْ الصَّحَابَةِ - رضي الله عنهم – الخ .

"… this Ĥadīth has been narrated by Imām Bukhāri and Muslim… . And this law is one of consensus, as the `Ulamā' are unanimous that it is prohibited to perform Ŝalāh when one's clothes or sleeves are folded, etc, or when a man's hair is plaited, or his hair is folded into his turban, and the like. All of this is makrūh with the consensus of the `Ulamā'. It is Makrūh Tanzīhī. Therefore, if he performs Ŝalāh like that, then he has perpetrated a makrūh, although his Ŝalāh will be in order. Abu Ja`far Muĥammad aţ-Ţabari has taken proof of it being correct by the Ijmā` of the `Ulamā'[a]*. But Ibnul Mundhir has quoted Ĥasan Baŝri* رحمة الله عليه *to say*

[a] In the text of Imām Nawawi, it is clear that the ruling, which Imām Ţabari substantiated with *Ijmā'*, is that the Ŝalāh will still be =

that the Ŝalāh should be repeated. Then our Ma<u>dh</u>-hab[a] *and the Ma<u>dh</u>-hab of the majority is that this law applies to everyone who performs Ŝalāh in this way whether he does it deliberately for Ŝalāh, or was like that for some other reason and performed Ŝalāh in that manner without necessity. Imām Mālik has stated that it specifically applies to him who does so for Ŝalāh. However, the former is what the general nature of the authentic Aĥādīth demand, and it is apparent from what has been transmitted from the Ŝaĥābah ﷺ…."*

Note that the above statement of Imām Nawawi has reference to transmissions from the Ŝaĥābah ﷺ as well. This serves as a **third** basis.

Fourthly, this ruling is also deduced from an āyah in Sūrah A`rāf:

﴿يَا بَنِي آدَمَ خُذُوا زِينَتَكُمْ عِندَ كُلِّ مَسْجِدٍ﴾

"O children of Ādam! Take your adornment at every place of prayer." (Al-A`rāf: 31)

Hāfiź Ibn Rajab Ĥambali ﷺ comments[123] on this verse:

"A group of scholars have stated that the verse indicates that '*wearing of adornment*' at the Masājid is more than just the covering of the `*awrah*…, as the uncovering of the `*awrah* is an act of lewdness and nudity. Whilst covering it is part of "*zīnah*" (adornment), the āyah includes the (command of) wearing

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= completed even though a *makrūh* act was perpetrated. The text of `Allāmah `Aini that we quoted before, however, seemed to imply that Imām Ṭabari had actually ascribed the ruling of makrūh to *Ijmā'*. Allāh Ta`ālā knows best.

[a] i.e. the 'Shāfi`ī *Math-hab'*, as Imām Nawawi was a leading 'Shāfi`ī' 'scholar.

beautiful/befitting attire at the time of communion with Allāh, his remembrance, du`ā, ṭawāf, etc. …

"Mūsā Ibn `Uqbah narrates from Nāfi` who narrates from Ibn `Umar from Rasūlullāh ﷺ that he said: "When any one of you performs Ŝalāh, he should wear two cloths (i.e. not only one), as Allāh is the most worthy that adornment be adopted for Him[a]… And those scholars who stated that the āyah commands more than just the covering of the `*awrah* – which is anyway obligatory to cover – based their verdict on the fact that Rasūlullāh ﷺ had prohibited the performance of Ŝalāh in one cloth in a manner that the shoulders are left uncovered[b], … thus it denotes that the obligation is more than just the covering of the `*awrah* which is necessary to conceal anyway".

Fifthly, Rasūlullāh ﷺ is reported to have said: *"Be shameful before Allāh Ta`ālā to the extent of the right of shame"* [124]. Rasūlullāh ﷺ is also reported to have said: *"Allāh is more deserving than people that modesty be displayed before him."* [125]

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[a] It is for this reason that the Fuqaha have said that it is *makrūh tanzīhi* to perform Ŝalāh in (ثياب المِهْنَة) 'clothes of labour' like overalls, aprins, etc. It is also makrūh tanzīhi to perform Ŝalāh in (ثياب البِذْلة) 'clothes of triteness' (which are not worn when visiting people of importance, such as pyjamas and the like). (See: *Raddul Muĥtār*, chapter on things that nullify Ŝalāh). Short-sleeved clothing fall within the second type.

[b] Rasūlullāh ﷺ is also reported to have stated: "None of you should ever perform Ŝalāh in one cloth, in a manner that there is nothing on his shoulders (i.e. his shoulders are uncovered)". Narrated by Imām Muslim and others on the authority of Abu Hurairah ؓ.

Now, understand the meaning of modesty and shamefulness from the incident narrated by Imām Muslim ﷫ on the authority of `Ā-ishah ﵂ that once Rasūlullāh ﷺ *was laying in her room, with his shin*[126] *open...*

When `Uthmān ﵁ sought permission to enter, Rasūlullāh ﷺ sat up, straightened his clothes, and then granted him permission to enter. When he left, Ā-ishah ﵂ said to Rasūlullāh ﷺ . "Abu Bakr ﵁ entered, and you did not show delight, and neither bothered, then `Umar ﵁ entered and you did not show delight, nor bothered. Then `Uthmān ﵁ entered, so you sat up, and straightened your clothes. Rasūlullāh ﷺ replied. ***"****Should I not display modesty before whom even the angels display modesty.****"***[127]

Ponder for a moment that, if Rasūlullāh covered the shin ﷺ before a mortal for purposes of modesty, even though the Sunnah is to keep one's izār (lungi), pants, qamīŝ, etc at "*Niŝfus-sāq*" (i.e. halfway down the shin) then what do you think about the forearm, which was not normally left open.

May Allāh Ta`ālā grant us the towfīq to practice upon that which is pleasing to Him, and be steadfast upon the truth.

Abū Usāmah Ayub Ibn Moulānā Muĥammad.

ربنا تقبل منا إنك أنت السميع العليم

وتب علينا إنك أنت التواب الرحيم

الحمد لله الذي بنعمته تتم الصالحات

سبحان الله وبحمده ، سبحانك اللهم وبحمدك ،

نشهد أن لا إله إلا أنت ، نستغفرك ونتوب إليك

وصلى الله وسلم وبارك على سيدنا وحبيبنا محمد وآله

الطاهرين وصحبه الطيبين وأئمة الدين المتين وأمته أجمعين

وآخر دعوانا أن الحمد لله رب العالمين

تم الكتاب من غير حولٍ منا ولا قوة، ولله الحمد والمنة

المصادر والمراجع*

المسند، دار الباز بمكة، الثانية ١٣٩٨.	أحمد بن حنبل الشيباني ١٦٤ – ٢٤١.
الجامع المسند الصحيح**	أبو عبد الله محمد بن إسماعيل البخاري ١٩٤ – ٢٥٦.
المسند الصحيح	أبو الحسين مسلم بن الحجاج القشيري النيسابوري ٢٠٦ – ٢٦١.
السنن	أبو داود سليمان بن الأشعث السجستاني ٢٠٢ – ٢٧٥.
الجامع	أبو عيسى محمد بن عيسى الترمذي ٢٠٠ – ٢٧٩
السنن	أبو عبد الله محمد بن يزيد الربعي ابن ماجه القزويني ٢٠٩ – ٢٧٣.

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المجتبى من السنن	أبو عبد الرحمن أحمد بن شعيب النسائي ٢١٥ – ٣٠٣.
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جامع بيان العلم وأهله	أبو عمر يوسف بن عبد البر القرطبي م ٤٦٣ .
المنتقى شرح الموطأ	أبو الوليد سليمان بن خلف الباجي الأندلسي م ٤٧٤هـ .
صفة الصفوة	جمال الدين أبو الفرج عبد الرحمن بن علي الجوزي م ٥٩٧ هـ
المجموع شرح المهذب	أبو زكريا يحيى بن شرف النووي م ٦٧٦هـ
تذكرة الحفاظ	أبو عبد الله محمد بن أحمد الذهبيّ ٦٧٣ – ٧٤٨ .
سير أعلام النبلاء	الذهبي.
إعلام الموقعين	أبو عبد الله محمد بن أبي بكر زين الدين ابن القيم الجوزية ٦٩١ – ٧٥١ .

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المغني عن حمل الأسفار في الأسفار، في تخريج ما في الإحياء من الأخبار	زين الدين عبد الرحيم بن الحسين العراقي م ٨٠٦ .
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عمدة القارئ، دار الفكر بيروت .	أبو محمد محمود بن أحمد بدر الدين العيني م ٨٥٥ .
تدريب الراوي	أبو الفضلِ جلالُ الدينِ عبدُ الرحمنِ السيوطيُّ ٨٤٩ – ٩١١ .

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أشرف الجواب (اردو)	أشرف علي التهانوي الهندي المعروف بحكيم الأمة ١٢٨٠ – ١٣٦٢
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فوائد في علوم الفقه	ظفر العثماني م ١٣٩٤
أوجز المسالك إلى موطأ مالك	محمد زكريا الكاندهلوي الهندي ٣١٥ – ١٤٠٢
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التعليق على الرفع والتكميل	عبد الفتاح بن محمد أبو غدة الحنفي القرشي الخالدي الحلبي ثم الرياضي ١٣٣٦ – ١٤١٧

التعليق على رسالة المسترشدين	عبد الفتاح أبو غدة
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أدب الاختلاف	محمد عوامة الحلبي ثم المدني حفظه الله
أثر الحديث الشريف	محمد عوامة الحلبي ثم المدني حفظه الله
اللامذهبية وخطورتها في هدم التشريع الإسلامي	محمد سعيد رمضان البوطي الدمشقي حفظه الله

Glossary

*`**Adan:**** A city of Yemen.

Aĥādīth: Plural of Ĥadīth.

***Aĥkām*:** Islamic laws. (Plural of *Ĥukm*).

Ahluź-Źāhir: The followers of the Mujtahid by the name of Dāwūd aź-Źāhiri. Also know as *Źāhiriyyah*.

Ākhirah: The hereafter.

`Allāmah: Title of a very knowledgeable person, higher than that of *Ālim*, and *Shaikh*.

` Ālim: A knowledgeable scholar of religion.

`Āmal: Practice, action, deed.

Āmīn: Amen.

Amīrul Mu`minīn Fil Ĥadīth: Title of honour meaning: the head of the scholars of Ĥadīth.

`Anazah: Staff

`Anzah: Goat.

*Al-**Jar-ĥu wat-Ta`dīl:*** The science governing the laws pertaining to the credibility and disparagement of narrators.

Andalus: The area that covered the present-day Spain, Cyprus and surrounding areas.

Asātidhah: Plural of Ustādh, meaning ‘teacher’.

Ash-hurul Ĥurum: The four sacred months of the Islamic year. They are: *Muĥarram*, *Rajab*, *Dhul-Qa`dah*, and *Dhul-Ĥijjah*.

`Aŝr: The prayer performed approximately 1 ½ hour before sunset.

Adhān: The call to Prayer.

`Awrah: The parts of the body that are prohibited from being exposed to others.

Āyah: Verse of the Noble Qur'ān. It literally means 'a miracle'. Every verse of the Qur'ān is in reality a miracle of Allāh Ta`ālā.

***`Azza wa Jalla:*** He who is Most Honoured and Most Exalted. A form of praise for Allāh, like the word Ta`ālā.

Balāghah: Rhetoric. A science relating to language, unique to Arabic. This science is instrumental in understanding the miraculous nature of the Qur'ān.

Baŝrah: A city of `Irāq.

Bid'ah: Innovation.

Bukhāri: The author of the famous book of Ĥadīth known to be the most authentic book after the Qur'ān.

Dirāyah: lit: knowledge. Tech: The study of Fiq-h.

Delhi: Capital city of India.

Du`ā: Supplication.

Dunyā: The world. It may also be said with reference to the vanity and material of the world.

Faqīh: A jurist. Refer to question no. 16 for more detail.

Fāsiq: Sinner, transgressor.

Fat-ĥah: A vowel of the Arabic alphabet.

Fatwā: A religious verdict issued by a Muftī.

Fiq-h: Islamic law, jurisprudence; the field of expertise of a Faqīh.

Fitnah: lit: temptation, trial. May refer to discord, intrigue, corruption, etc. as well.

Fuqahā: Plural of Faqīh.

Ĥadīth: A statement uttered by Rasūlullāh ﷺ, an incident that took place before him or during his time with his knowledge, or a description of a quality, attribute or way of Rasūlullāh ﷺ.

Ĥaďrat: A title used to address people of a high rank in piety.

Ĥāfiź: Title of one who has memorized a substantial number of Ĥadīth, such that the number of Aĥādīth that he knows are more that those than he does not know.

Ĥafŝ: A name of a famous scholar of the field of Qirā'ah, and a narrator from Āŝim – one of the seven Imāms of Qirā'ah.

Ĥajj: Pilgrimage.

Ĥambali: A follower of the *Ĥambali* school of jurisprudence.

Ĥanafi: One belonging to the Ĥanafi school of jurisprudence.

Haqīqah: Literal. A term used in U*ŝūlul Fiq-h,* and *Tafsīr.*

Ĥaram: The sacred area within the boundaries of the Mīqāt. Also used with reference to the Al-Masjidul Ĥarām in Makkah.

Ĥarām: Prohibited.

Hidāyah: Divine guidance.

Hijrah: Emigration. More commonly used for the emigration of the Prophet Muĥammad ﷺ that took place from Makkah to Madīnah.

***Hind*:** India.

***`Ibādah:*** Worship of Allāh Ta`ālā.

Ibn: son of… .

Īd: A day of celebration.

Iĥrām: The state a person enters into during his pilgrimage of the *Ka`bah*.

Ijmā`: Consensus of opinion of the companions of the Noble Messenger of Allāh, Muĥammad ﷺ; or of all the Mujtahidīn (jurists) of any one era.

Ijtihād. Ijtihād is the process of extracting laws from the four basic sources of Sharī`ah viz. the Qur'ān, Sunnah, Ijmā` (consensus of opinion) and Qiyās (analogy based on explicit rulings of the Qur'ān and Sunnah).

`Ilm: Knowledge. It has particular reference to religious knowledge.

`Ilmul Farā'iđ. Islamic law of succession.

`Ilmul Qirā'ah: The science relating to proficiency in the recitation of the Noble Qur'ān.

Imām: A leader or authority in any particular field/s.

`Ishā': Obligatory prayer to be performed about 1 ½ hour after sunset.

***I`tizāl:*** The code of belief of a deviant sect that existed during the second to fourth centuries of Islām. The followers are known as the *Mu`tazilah*. The *Mu`tazilah* were divided into numerous smaller groupings, each regarding the other as deviant. These sects have become extinct, but remnants of the deviant beliefs still exist among some modern day sects.

Jāmi`āt: A particular category of Ĥadīth books.

Ka`bah: The holy structure in Makkah, built by Ādam عليه السلام, then by Ibrāhīm عليه السلام.

Kāfir: Disbeliever. See *Kufr*.

Kafn: The shroud in which a deceased is buried.

Khalīfah: Caliph.

Khatm: One complete recitation of the Noble Qur'ān.

Khulafā: Plural of *Khalīfah*.

Kināyah: Metonymy. A term used in U*ŝūlul Fiq-h,* and *Tafsīr.*

Kitābuŝ-Ŝalāh: The chapter on prayer.

Kitābul Adhān: The chapter on *Adhān*.

Kufr: Disbelief. See Kāfir.

Lughah: Language. A term that refers to the study of the Arabic language.

Madīnah: The holy city to which the Prophet Muĥammad ﷺ emigrated, and spent the last ten years of his life.

Madani**:** Those verses that were revealed after the emigration of Rasūlullāh ﷺ to Madīnah Munawwarah.

Majāz: Figurative, allegorical. This is also a term used in U*ŝūlul Fiq-h*, and *Tafsīr.*

Māliki: A follower of the Māliki school of jurisprudence.

Makkah: The Holy City and birth place of the Prophet Muĥammad ﷺ.

Makki**:** Those verses that were revealed before the emigration of Rasūlullāh ﷺ to Madīnah Munawwarah.

Makrūh: An Islāmically undesirable deed. It is of two categories: a) *Makrūh Taĥrīmī*: Intensely undesirable, and forbidden. This is a stage below Ĥarām. b) *Makrūh Tanzīhī*: Undesirable.

When stated without stipulation, the first category is generally meant.

Makrūhāt: Plural of *Makrūh*.

Mansūkh: An abrogated law, verse of the Qur'ān, or Ĥadīth, by means of indisputable evidence.

Marfū`: A Ĥadīth where the chain of narrators reaches right up to Rasūlullāh ﷺ. (See: *Mawqūf*).

Mas'alah: A situation that requires an Islamic ruling. It is commonly used with reference to the ruling of the situation as well.

Masā-il: Plural of mas'alah.

Mashwarah: Mutual consultation held in accordance with Islamic teachings.

Masjid. Mosque. Plural: *Masājid*.

Masājid. see: *Masjid*.

Madhāhib: Plural of Madh-hab.

Madh-hab: The school of jurisprudence of any of the four Imāms.

Mawqūf: A narration where the chain of narrators ends at a companion of Rasūlullāh ﷺ, and does not reach Rasūlullāh ﷺ.

Moulānā: A contemporary title used for the graduate of an institute within the Indo-pak subcontinent. It has no specific implication. It may be the title of a very learned man, while an ordinary graduate may also be called *Moulānā*.

Muwaṭṭā: Name of the Ĥadīth book compiled by Imām Mālik رحمة الله عليه.

Mu'adh-dhin: The one calls out the *Adhān*.

Mufassir: Scholar of *Tafsīr*.

Muftī: A scholar authorized to pass religious verdicts.

Muĥaddith: A scholar of Ĥadīth. Refer to question no. 16 for more detail.

Muĥaddithīn: Plural of Muĥaddith.

Muĥarram: The first month of the Islamic calendar.

Muĥkam: a) Standing and un-abrogated verses.

b) Verses that are clearly understood and comprehendible by the human mind. (see *Mutashābih).*

Mujāhid. A person who fights in the cause of *Jihād*, or he who strives for the upliftment of Dīn.

Mujtahid Muṭlaq: A Mujtahid of the highest degree.

Mujtahid Muntasib: A Mujtahid who prefers to ascribe to the Math-hab of an Imām, and differs with him in some of his rulings.

Muqri': Lecture and tutor in *Ilmul Qirā'ah.*

***Mursal*:** A narration, the chain of which links up to Rasūlullāh ﷺ, but the Ŝahābi is missing. That means that the Tābi`ī narrates direct from Rasūlullāh ﷺ.

Muŝannaf: A particular category of Ĥadīth books.

Muŝannafāt: A particular category of Ĥadīth books.

Musnad. A particular type or category of Ĥadīth books.

Muttabi`: Follower.

Mujtahid. A scholar who qualifies to employ the tool of Ijtihād. (See Ijtihād).

Mujtahidīn: Plural of Mujtahid.

Muqallid. One who obliges himself to the Taqlīd of a Mujtahid, due to lacking the qualifications to perform Ijtihād.. (Pl. Muqallid*īn*)

Mutashābih: Verses that are beyond the comprehension of the human mind. Such verses are of two categories only: a) those that pertain directly to the being of Allāh Ta`ālā[a], and b) the independent letters that appear at the beginning of some Sūrahs such as الم ، الر ، حم ، يس , etc.

Mutaqaddimīn: Early scholars.

***Muttaŝil*:** A narration that links up to Rasūlullāh ﷺ with an unbroken and undisturbed chain of narration.

Nāsikh: A law, established through indisputable evidence, which abrogates a previous one upon revelation. This term may refer to a verse and Ĥadīth that have been abrogated as well.

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[a] Allāh Ta`ālā declares in the Qur'ān: "There is nothing similar to Him"; "To Him belongs the highest similitude" (which does not exist on earth). All verses and Aĥādîth that discuss the being of Allāh fall within the category of *Mutashābih*. About such verses Allāh Ta`ālā says in Sūrah Āli `Imrān: "He it is who has sent down to thee the book: in it are verses that are *Muĥkam* i.e. basic or fundamental (of established meaning); they are the foundation of the book; others are *Mutashābih* (allegorical). But those in whose hearts is perversity, follow the part thereof that is allegorical, seeking discord, and searching for its hidden meanings, but no one knows its hidden meanings except Allāh. And those who are firmly grounded in knowledge say: we believe in it; the whole (of it) is from our Lord. None take lesson except men of understanding. Our Lord (they say), let not our hearts deviate now after Thou hast guided us, but grant us mercy from Thine own presence; for Thou art the giver (of bounties) without measure".

Nikāĥ: Marriage.

Niŝfus-Sāq: Half of the shin.

Nūn: A letter of the Arabic alphabet.

Purdah: (Urdu): A woman's covering herself in accordance with the requirements of Islāmic law. Arabic: *Ĥijāb*

Qāđi: Judge, justice.

Qāđi al Quđāh: Chief justice.

Qāri': An expert in *Ilmul Qirā'ah***.** Pl: *Qurrā'*.

Qat`ī: Incontrovertible evidence.

Qiblah: The direction the worshipper is obliged to face during Ŝalāh, i.e. the direction of the Holy *Ka`bah*.

Qirā'ah: Recitation, or mode of recital. See also: *Ilmul Qirā'ah.*

Qiyāmah: Resurrection.

Qiyās: Analogy, i.e. to base an issue that has not been directly discussed in the Qur'ān, Sunnah, or *Ijma`* upon one that has an explicit ruling mentioned in one of these three main sources. *Qiyās* is a subject of its own, with many branches, the details of which are discussed in the books of 'Usūlul Fiq-h'.

Qurrā': See: *Qāri'.*

Qur'ān: The Noble book of Allāh Ta`ālā that was revealed by Him upon Rasūlullāh ﷺ via the medium of Jibrā-īl عليه السلام.

Rabī`ul Awwal: The third month of the Islamic calendar.

***Raf`ul Yadain:*** Raising of the hands before and after *rukū`*.

Rajab: The seventh month of the Islamic calendar.

***Rak`ah:*** One set of formal rituals comprising of the standing, semi-prostration, full prostration and sitting positions with specified recitals to be carried out during Ŝalāh. Pl: Raka`āt.

Ramađān: The ninth month of the Islamic calendar, wherein the Muslims observe the obligatory fast.

Rasūl: Prophet or Messenger of Allāh Ta`ālā.

Rasūlullāh: The Prophet of Allāh: the title of the Prophet Muĥammad ﷺ.

Rijāl: This is a term that refers to the various narrators found within the chains of narration of the Aĥādīth.

Riwāyah: Narration; or the study of Ĥadīth.

Rukū`: Semi-prostration.

Ŝabr: Patience, forbearance, tolerance, etc.

***Ŝaĥābah*:** Plural of *Ŝaĥabi*: the noble companions of Rasūlullāh ﷺ.

Ŝahīĥ: a) A category of authentic Aĥādīth. b) Name of certain authentic books of Ĥadīth.

Ŝaĥiĥain: A short form for Ŝaĥīĥ Al-Bukhāri and Ŝaĥīĥ Muslim.

Sajdah: Full prostration.

Ŝalāh: A form of worship, which is to be performed fives times daily at the very least.

Ŝalātul Fajr: Obligatory prayer to be performed before sunrise.

Ŝalātul Janāzah: The obligatory prayer offered to the deceased prior to burial.

Satr: (Urdu) – the area of the body which may not be exposed to anyone in accordance with the Islāmic teachings. Known as *`Awrah* in Arabic.

Ŝiĥāĥ: Authentic books of Ĥadīth, or authentic Aĥādīth.

***Shāfi`ī:*** A follower of the *Shafi`ī* Madh-hab, or something related to it.

Shaikh: An authority in Ĥadīth, or Taŝawwuf. In modern times, the title Shaikh is used as reference to an Islamic scholar in some parts of the world.

Shaikhul Ĥadīth: A contemporary title used for a scholar of Ĥadīth.

Shar`ī: Relating to Islamic law.

Sharī`ah: Islamic code of law.

Shām: The area that covers present day Palestine, Israel,

Shuyūkh: Plural of Shaikh.

Sind: The area that covers present day India, Pakistan, Bangladesh and surrounding areas during the early times.

Sīrah: The study of the noble life of the Honoured Prophet Muĥammad ﷺ.

Sukūn: An Arabic letter not followed by a vowel.

Sunnah: a) An established practice of the Prophet Muĥammad ﷺ, b) The second among the basic sources of Shar`ī law, where, the Qur'ān refers to the book of Allāh Ta`ālā, and the Sunnah to everything told by Rasūlullāh ﷺ which was not explicitly mentioned in the Qur'ān.

Sunan: a) Plural of Sunnah b) A certain category of Ĥadīth books.

Sūrah: One chapter of the Noble Qur'ān. Pl: *Suwar*.

Ta`ālā: *He is All-Exalted* – with reference to Allāh.

Tābi`: Follower

Tābi`ī: One who saw and learnt from the Ŝaĥābah ﷺ.

Tābi`īn: Those who saw the Ŝaĥābah ﷺ.

Tafsīr: Commentary of the Qur'ān.

Tahajjud. The optional Ŝalāh offered before true dawn.

Ţahārah: Purity according to Islāmic requirements.

Tajsīm: Anthropomorphism: A belief that existed amongst one of the deviant groupings of the *Mu`tazilah*, known as the Karrāmiyyah. Since its subject entails immense detail, and it is not possible to discuss it in this treatise, an independent book shall be prepared about it in the future, in-shā-Allāh. In present times, the essence of this belief is to be found amongst the Salafis.

Takbīr: The statement: *Allāhu Akbar*: (Allāh is the greatest).

Ţalāq: Divorce

Tanzīl**:** The revelation of the Qur'ān upon Rasūlullāh ﷺ in stages, according to the demand of the moment.

Taqlīd. Taqlīd technically means accepting the view of a Mujtahid in issues of Islamic law, without seeking to know the proof thereof, on the belief that the views are backed by legitimate Shar`ī evidence.

Taqlīd-Shakhsi: Adhering to one Madh-hab.

Taqwā: A spiritual force that drives one to execute the commands of Allāh, and abstain from His disobedience, out of fear of His wrath.

Tarāwīĥ: The Ŝalāh comprising of twenty raka`āt, performed after the *Ishā'* Ŝalāh during the sacred month of *Ramađān*.

Tashahhud. The supplication recited during the sitting position of Ŝalāh.

Tashrīq: The five days of *Ĥajj* wherein the *Takbīrs* are recited after every Ŝalāh by every believer.

Tatabu`urrukhaŝ: To search for the concessions of every Imām or Muftī, and adopt them.

Ta`wīl**:** Extracting possible purports from verses of the Qur'ān in accordance with the principles of exegeses.

Dhul-Ĥijjah: The twelfth month of the Islamic calendar.

Dhul-Qa`dah: The eleventh month of the Islamic calendar.

`Ulamā': Plural of *'Ālim*.

Usūl: Principles, maxims.

Wara`: A level above that of *Taqwā,* where one becomes immensely cautious against doing any deed that could probably be against the order of Allâh.

Wuđū: Ablution.

Źāhiriyyah: The followers of the Mujtahid by the name of Dāwūd aź-Źāhiri. Also know as *Ahluź-Źāhir.*

Źāhirul Madh-hab: See: *Źāhirur-riwāyah.*

Źāhirur-riwāyah: A term used in the Ĥanafi school of jurisprudence, used to signify a ruling to be found in one of the six famous books of Imām Muĥammad رحمة الله عليه. Also referred to as *Źāhirul Madh-hab.*

Zam-zam: The blessed water that gushes forth from the well found close to the *Ka`bah*. The well was discovered during the time of the Prophet Ibrāhīm عليه السلام.

Źanni: Disputable evidence.

Zuhd. Asceticism.

Źuhr: The Ŝalāh performed after noon.



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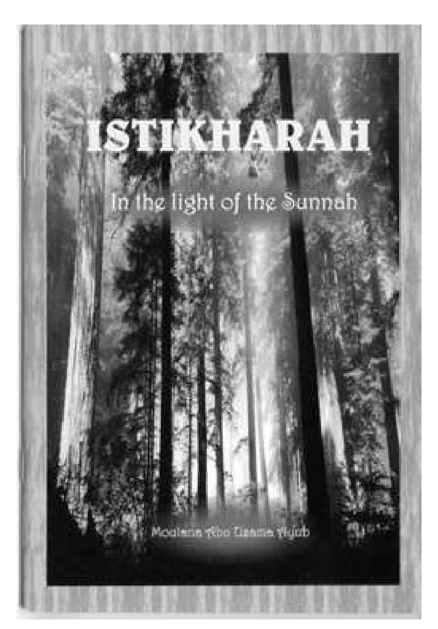
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BY THE SAME AUTHOR

ISTIKHARAH IN THE LIGHT OF THE SUNNAH



In this book the author outlines the method, importance and significance of Istikharah in the life of a Muslim. He also endeavours to alleviate the misconceptions that most people have about Istikharah. The book actually presents an entire concept, and not merely a few facts.

A5 48 PAGES

"I have hope that the `Ulama Kiraam as well as the general public will benefit from the work"

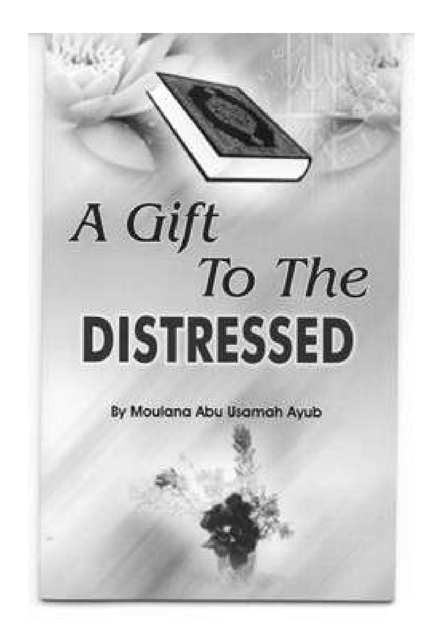
(Shaikhul Hadith Moulana Fadlurrahman A'zami)

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A GIFT TO THE DISTRESSED



In this booklet, such Qur'anic verses and Aĥâdīth have been gathered, that are relevant to people undergoing difficulty, in the form of financial straits, illness, death of a close one and the like. These verses and Aĥâdīth are presented to the reader for the purpose of pondering. By carefully pondering over them he will find answers to his problems, and will be able to derive lessons from its warnings and admonitions. Simultaneously he will receive immense solace and comfort. At the end of the book, selected du'âs to be recited during times of distress have been given. The book is presently being distributed freely. If you require copy/copies, or wish to participate in the free distribution of the book, kindly email the author at: miftahii@yahoo.co.uk.

BY THE SAME AUTHOR

SOON TO BE PUBLISHED



YASSARNAN-NAHW

HAVE YOU EVER TRIED LEARNING THE ARABIC LANGUAGE THE TRADITIONAL WAY?

ARE YOU DISILLUSIONED FROM THEORETICAL LEARNING METHODS?

ARE YOU LOOKING FOR PRACTICAL APPLICATION OF GRAMMATICAL THEORIES IN A NATURAL WAY?

YOU MAY SOON FIND YOUR QUEST!!!

A BOOK THAT DRILLS ARABIC GRAMMATICAL THEORIES INTO THE LEARNER WITHOUT SPELLING OUT A SINGLE THEORY!!!

WHAT'S LEFT IS YOUR DU'AS ONLY, BEFORE IT MAY BE PUBLISHED IN-SHA-ALLAH!!!

Notes:

Notes:

Endnotes

[1] قال الإمام العراقي رحمه الله في تخريج الإحياء في كتاب ذم الدنيا: أخرجه الترمذي (ح ٢٦٤١) من حديث عبد الله بن عمرو رضي الله عنه وحسنه "... وتفترق أمتي على ثلاث وسبعين ملة كلهم في النا ر إلا ملةً واحدةً" قال: ومن هي يا رسول الله؟ قال "ما أنا عليه وأصحابي". ولأبي داود من حديث معاوية رضي الله عنه (ح ٤٥٩٧)، وابن ماجه من حديث أنس مالك رضي الله عنه (ح ٣٩٩٣) وعوف بن مالك رضي الله عنه (ح ٣٩٩٢): "وهي الجماعة" وأسانيدها جياد ا هـ.

[2] أخرجه الإمام مسلم رحمه الله (ح ٣٢) عن عبدان بن عثمان عن عبد الله بن المبارك رحمه الله.

[3] انظر أثر الحديث الشريف ص ١٧٨.

[4] انظر أثر الحديث الشريف ص ٧٢.

[5] المرجع السابق.

[6] أثر الحديث الشريف ص ١٧٩.

[7] المرجع السابق.

[8] أدب الاختلاف ص ٤٤_٤٦.

[9] قال الشيخ عبد الفتاح أبو غدة رحمه الله معلِّقاً على (قواعد في علوم الحديث) ص ١٣١: "قال الحافظ السيوطيُّ رحمه الله في تدريب الراوي أواخر النوع الثالث والعشرين ص ٢٢٦: "سئل إسحاق بن راهويه ِلمَ قيلَ له: ابن راهويه؟ فقال: إن أبي وُلد في الطريقِ، فقالت المراوزة – بالفارسية – راهويه ، يعني أنه ولد في الطريقِ". وفي فوائد (رحلة ابن رُشَيد): مذهبُ النحاة في هذا – راهويه – وفي نظائره فتح الواو وما قبلها وسكون الياء ثم هاء. والمحدثون ينْحَون به نحو الفارسية فيقولون: هو بضم ما قبل الواو وسكونها وفتح الياء وإسكان الهاء..."اهـ.

[10] الكلام المفيد ص ١١٠ نقلا عن الديباج المذهب ص ١٣ .

[11] الكلام المفيد ص١١٢ نقلا عن مقدمة ابن خلدون ص ٤٤٩

[12] الكلام المفيد ص ١١٩ نقلا عن معيد النعم ومبيد النقم ص ٣٢ .

[13] نبهني إلى هذه الفائدة فضيلة الشيخ مولانا شبير صالوجي مدير دار العلوم زكريا حفظه الله وزاده مجداً .

[15] أدب الاختلاف ص ٢١_٢٤ .

[16] المرجع السابق.

[17] أدب الاختلاف ص ٢٩ عن مقدمة المغني لابن قدامة رحمة الله عليه .

[18] أدب الاختلاف ص ٣٠ عن جامع بيان العلم ٢/٨٠ .

[19] أدب الاختلاف ص ٣٥ عن سنن الدارمي: باب اختلاف الفقهاء ١/١١٥ .

[20] أدب الاختلاف ص ٣٦ عن تقدمة الجرح والتعديل لابن أبي حاتم ص ٢٩ .

[21] رواه البخاري (ح ٧٣٥٢) ومسلم (ح ٤٤٨٧، ٤٤٨٨) عن عمرو بن العاص وأبي هريرة والترمذي (ح ١٣٢٦) وغيرهم عن أبي هريرة رضي الله عنه .

[22] رواه الترمذي (ح ٢٩٥٢) وأبو داود (ح ٣٦٥٢) عن جندب بن عبد الله رضي الله عنه .

[23] أثر الحديث الشريف ص ١١٨ عن أحسن الكلام فيما يتعلق بالسنة والبدعة من الأحكام ص ٦،٢٣ .

[24] الكلام المفيد ص ٢٤١ نقلا عن تذكر الحفاظ ١/١٦٠، والإكمال ص ٦٢٥ .

[25] الكلام المفيد ص ٢٤٥ نقلا عن تذكرة الحفاظ ١/١٥٨ .

[26] الكلام المفيد ص ٢٤٦ نقلا عن البداية والنهاية ١٠/١٠٧ .

[27] الكلام المفيد ص ٢٤٧ نقلا عن دول الإسلام ١/٧٩ .

[28] الكلام المفيد ص ٢٥٧ نقلا عن تأريخ بغداد ٣٥٤/١٣.

[29] الكلام المفيد ص ٢٥٢ نقلا كلام الصيمري والخطيب عن أخبار أبي حنيفة رحمه الله وأصحابه ص ١٤٩، وتأريخ بغداد ٣٠٨/١٢ والجواهر المضيئة ٢٦٧/١.

[30] الكلام المفيد ص ٢٤١ نقلا عن الروض الباسم ١٦٠/١.

[31] فوائد في علوم الفقه ص ١٠.

[32] فوائد في علوم الفقه ص ١٠ نقلا عن تزيين الممالك للسيوطي ٧/٨، صفة الصفوة ١٠٤/٢.

[33] صفة الصفوة ١٠٥/٢

[34] صفة الصفوة ١٠٤/٢

[35] أوجز المسالك ٢٤/١

[36] السنة ومكانتها في التشريع الإسلامي ص٤٤٠.

[37] سير أعلام النبلاء ج ١٠: ترجمة الإمام محمد بن إدريس الشافعي

[38] صفة الصفوة ١٤٩/٢

[39] سير أعلام النبلاء ج ١٠: ترجمة الإمام محمد بن إدريس الشافعي

[40] جميع الأقوال المذكورة في هذه الفقرة من البداية النهاية لابن كثير رحمه الله.

[41] الأقوال الثلاثة الأخيرة من صفة الصفوة لابن الجوزي رحمه الله ١٥١،١٥٢/٢.

[42] صفة الصفوة ٢٠٤/٢

[43] صفة الصفوة ٢٠٤/٢

[44] صفة الصفوة ٢٠٥/٢

[45] صفة الصفوة ٢/٢١٠

[46] سير أعلام النبلاء ج ١١ ترجمة الإمام أحمد .

[47] سير أعلام النبلاء ج ١١ ترجمة الإمام أحمد .

[48] تعليق الشيخ عبد الفتاح أبو غدة رحمه الله على رسالة المسترشدين للمحاسبي ص ١٤٥_١٤٨.

[49] صفة الصفوة ٢/٢١٣

[50] صفة الصفوة ٢/٢١١

[51] سير أعلام النبلاء المجلد العاشر ترجمة الإمام أحمد .

[52] صفة الصفوة ٢/٢١٠ .

[53] الكلام المفيد ص ١٢٥ .

[54] أخرجه الإمام البخاري رحمه الله في كتاب الحج، باب إِذَا حَاضَتْ الْمَرْأَةُ بَعْدَ مَا أَفَاضَتْ (ح ١٧٥٨) .

[55] رواه الإمام مالك في موطأه المروي برواية الإمام محمد بن الحسن الشيباني رحمهما الله تعالى في كتاب الحج ص ٢٠٩ (النسخة الباكستانية) .

[56] فوائد في علوم الفقه ص ٣١ .

[57] فوائد في علوم الفقه ص ١١ .

[58] إعلام الموقعين ١/١٢ .

[59] رواه الطبراني رحمه الله في الأوسط كما في المجمع في كتاب العلم _باب من أخذ كل علم من أهله_ . قال الهيثمي رحمه الله : وفيه سليمان بن داود بن الحصين لم أر من ذكره. قلت: قال الحافظ رحمه الله في الفتح في المناقب في باب مناقب معاذ بن جبل رضي الله عنه: وصح عن عمر أنه قال: " من أراد الفقه فليأت معاذا" اهـ.

[60] الكلام المفيد ص١٧٤ نقلا عن مقدمة ابن خلدون ص٤٤٨.

[61] جميع ما ذكرته عن دعوى الإمام السيوطي رحمه الله الاجتهاد فما بعده، فقد نقلته من مقدمة فيض القدير على الجامع الصغير للإمام المناوي رحمه الله . ودلني عليه رفيقي الشفيق وزميلي الرقيق مولانا محمد بن مولانا هارون حفظهما الله تعالى.

[62] أشرف الجواب ص ١٥٨.

[63] التعليق على الرفع والتكميل ص ٣٢٢.

[64] انظر أدب الاختلاف ص ١٩، ونقله عن مناقب الشافعي للبيهقي ٢٧٢/٢.

[65] أثر الحديث الشريف ص ١١١ من مناقب الإمام أبي حنيفة رحمه الله للعلامة علي القارئ رحمه الله ، والفقيه والمتفقه للخطيب رحمه الله ٨٤/٢.

[66] أثر الحديث الشريف ص ١١٢نقلا عن تأريخ بغداد ١٥٨/١١.

[67] أثر الحديث الشريف ص ١٠٦،١١٦ نقلا عن الجواهر المضية للقرشي ١٦٦/١.

[68] أثر الحديث الشريف ص ١٠٧ نقلا عن ابن عبد البر في الانتقاء ص ١٣٤.

[69] أثر الحديث الشريف ص ٧٥ نقلا عن ابن حبان في مقدمة المجروحين ٤٢/١.

[70] أثر الحديث الشريف ص ٨٣ نقلا عن ابن أبي زيد في كتاب الجامع ص ١١٧.

[71] أثر الحديث الشريف ص ٧٥.

[72] انظر الكلام المفيد ص ٢١٩ فقد نقله من جامع بيان العلم لابن عبد البر ١٢٧/٢. ووجدت العبارة في نسخة مؤسسة الكتب الثقافية من الكتاب المذكور ٣٥٥/٢.

[73] انظر شرح عقود رسم المفتي ومقدمة رد المحتار ص٧٧ كلاهما لابن عابدين.

[74] أفادني بهذه النكتة مولانا يس من تلامذة فضيلة الشيخ مولانا طه كران حفظهما الله تعالى ورعاهما **عند** مراجعته لهذا الكتاب.

[75] قال الهيثمي في مجمع الزوائد المجلد الأول كتاب العلم في باب المقياس والتقليد: رواه الطبراني في الكبير ورجاله رجال الصحيح.

[76] أثر الحديث الشريف عن المسند ١/٢٥٢، وشرح معاني الآثار ٢/١٨٩.

[77] أثر الحديث الشريف ١٠٠ _ ١٠٣.

[78] أثر الحديث الشريف ص ١١٩

[79] أثر الحديث الشريف ص ١٨٦ عن رفع الملام ص ١٨.

[80] اختلاف أمت اور صراط مستقيم ص ٢٨.

[81] شرح عقود رسم المفتي ص ١٠ من مجموعة رسائل ابن عابدين.

[82] اشرف الجواب ص ١٦١.

[83] أشرف الجواب ص ٢٩.

[84] أدب الاختلاف ص ١١٨.

[85] المرجع السابق.

[86] المرجع السابق ص ١١٩.

[87] اشرف الجواب ص ١٦٠.

[88] أشرف الجواب ص ١٥٩.

[89] انظر أثر الحديث الشريف ص ١٣٥ نقلا من كتاب العلامة البنوري رحمه الله "معارف السنن" ص ٣٧٩/٦_٣٨٠

[90] تدريب الراوي ١٩٦/٢.

[91] المرجع السابق.

[92] هذا السياق للإمام السيوطي رحمه الله مقتبس من كتابه تدريب الراوي ٢٠٢/٢.

[93] هدية الدراريء ص ١٠٤ مقتبسا من شرح النخبة ص ٤٠ و مقدمة فتح الملهم ص ٩٥.

[94] انظر هدية الدراريء ص ١٠٤ نقلاً عن الباعث الحثيث ص ٢٥.

[95] هدية الدراريء ص ١٠٤ عن ابن ماجه اور علم حديث ص ٢٤٢.

[96] في التقرير والتحبير شرح التحرير كما وجدت في هدية الدراريء ص ٩٨ نقلا عن حاشية الكوثري على الحازمي ص ٨٣.

[97] انظر الكلام المفيد ص ٢٢٠

[98] الكلام المفيد ص ٢١٩.

[99] واللفظ للترمذي.

[100] البخاري من حديث جابر بن عبد الله رضي الله عنه (ح ٢٥٦)، سنن الترمذي عن ميمونة رضي الله عنها (ح ١٠٣). وقد جمع المباركفوري ألفاظه في تحفة الأحوذي.

[101] التعليق على الرفع والتكميل ص ٣٢٤.

[102] تأنيب الخطيب للكوثري ص ١٥، ١٦.

[103] صحيح مسلم (ح ٣٢) عن علي بن شقيق رحمه الله.

[104] أدب الاختلاف ص ٨٨،٨٩ .

[105] انظر مقالات الإمام الكوثري رحمه الله ص ٣٤٤ .

[106] أثر الحديث الشريف ص ٤٧ .

[107] قال الشيخ أبو الحسن علي الحسني الندوي رحمه الله في (رجال الفكر والدعوة في الإسلام ١٠٣/٢): "فمذهب الأئمة الأربعة وأئمة الفقه والحديث (الأوزاعي والنخعي والثوري وإسحاق بن راهويه وأبي ثور والبخاري) وجُمهور الصحابة والتابعين أن هذه الطلقات تقع غير أن المطلِّق ارتكب بفعله هذا بدعة ومعصية. . ."اهـ. قلتُ: فأما الذين ينادون بأعلى أصواتهم أنه كان مذهب الإمام ابن تيمية رحمه الله ، فإنما نلزمهم بما يودّون أن يلزمونا به، وهو أن ابن عباس رضي الله عنه قال: مَا أَحَدٌ مِنَ النَّاسِ إلاَّ يُؤْخَذُ مِنْ قَوْلِهِ وَيُدَعُ غَيْرَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فإن لم يكن هذا مما يُدَع من أقوال هذا الإمام الجهبذ (أعني ابنَ تيمية) فأي شيء من أقواله يُدع؟ ! !

[108] الإشارة إلى ما في السعاية ص ١٥٧/٢: "وقال أصحاب الفضلي منهم أبو علي النسفي والحاكم عبد الرحمن بن محمد الكاتب والشيخ إسمعيل الزاهد وغيرهم إن السنة في صلاة الجنازة وتكبيرات العيدين والقومة الوضع، وقالوا: مذهب الروافض الإرسال فيسن مخالفتهم" اهـ. وهو استدلال باطل، كما هو ظاهر. وممن ذكر الإجماع على أنه لا يسن الوضع ابن النجيم في البحر الرائق ٣٠٨/١ .

[109] أثر الحديث الشريف ص ٥٣ .

[110] نزهة النظر في توضيح نخبة الفكر ص ٥٥ _ ٥٩ .

[111] نبهني على هذه الفائدة والتي سبقتها زميلي الكريم الشيخ مولانا محمد بن مولانا هارون حفظهما الله تعالى ورضي عنهما وزادهما من فضله وعنايته.

[112] أثر الحديث الشريف ص ٨٦ .

[113] أثر الحديث الشريف ص ٦٩ .

[114] أثر الحديث الشريف ص ٥٩ عن المجموع شرح المهذب ١٠٤/١ .

[115] أثر الحديث الشريف ص ٦٩، ٧٠ .

[116] أدب الاختلاف ص ٥٧ عن الإمام مسلم في مقدمة صحيحه (صحيح مسلم ح ٢٦) .

[117] أدب الاختلاف ص ٤٩ عن مناقب الإمام أبي حنيفة للموفق المكي ص ٣٥١ .

[118] أدب الاختلاف ص ٥٣ عن أبي نعيم في الحلية ٣١٦/٦ .

[119] أدب الاختلاف ص ٥٣ عن الخطيب ١٥٣/٢ .

[120] الكلام المفيد نقلا ص ١٨٣، اقتباساً من رسالة إشاعة السنة عن خير التنقيد .

[121] أنظر لامع الدراري ٢٣٧/١ .

[122] أنظر مفسدات الصلاة من منحة الخالق على البحر الرائق.

[123] فتح الباري شرح البخاري لابن رجب الحنبلي ١٢٨/٢. وليس لديَّ هذا الكتاب، لعل اللّٰهَ أن يوصله إليَّ بفضله وكرمه. صوَّر هذه الصفحة لي زميلي الفاضل الشيخ مولانا محمد إسحاق زاده الله علماً وعملاً، وجزى الله عنا أساتذتنا ومشايخنا خير جزاء ومد ظلالهم ونفعنا بعلومهم وفيوضهم.

[124] رواه الإمام أحمد والترمذي (ح ٢٤٥٨) والحاكم في كتاب الرقاق عن عبد اللّٰه بن مسعود مرفوعاً، قال الترمذي: غريب. وقال المباركفوري: قال المناوي: قال الحاكم صحيح وأقره الذهبي انتهى. وفي إسناد الترمذي الصباح بن محمد وهو ضعيف كما عرفت.انتهى قول المباركفوري. وقال المناوي: رواه أحمد في حديث طويل من حديث ابن مسعود أيضاً قال الهيثمي: ورجاله وثقوا وفيهم ضعف.ا هـ

[125] رواه أبو داود (ح ٤٠١٧) والترمذي (ح ٢٧٩٤) عن بهز بن حكيم عن أبيه عن جده مرفوعاً، قال الترمذي: هذا حديث صحيح.

[126] شكَّ الراوي بين الفخذ والساق، فاكتفينا بذكر الساق، احترازاً من الخوض في بحث خارج عن حيز الكتاب، ومطابقةً لما عليه ثلاثة من الأئمة الأربعة أن الفخذ عورة. والله أعلم.

[127] في فضائل عثمان رضي الله عنه (ح ٦٢٠٩).